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THE

PARLIAMENTARY DEBATES

(AUTHORISED EDITION),

FOURTH SERIES

THIRD SESSION OF THE TWENTY-EIGHTH PARLIAMENT

OF THE

UNITED KINGDOM OF GREAT BRITAIN AND IRELAND

8 EDWARD VII.

VOLUME CXCV.

COMPRISING PERIOD FROM TUESDAY, TWENTY-SEVENTH DAY OF OCTOBER, 1908, TO MONDAY, NINTH DAY OF NOVEMBER, 1908.

THIRTEENTH VOLUME OF SESSION.

1908.

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Moved, "That the Bill be now read 2ᵃ."—(*Lord Lamington.*)

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Amendment moved—

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Amendment moved—

"In page 5, lines 22 and 23, to leave out the words 'under subsection (4) of Section 8 or under Section 39 of the Act of 1890,' and to insert the words 'of the Local Government Board.'"—(*Lord Denman.*)

On Question, Amendment agreed to.

Lord Denman 27

Amendment moved—

"In page 6, line 8, to leave out the words 'local authority,' and to insert the words 'any urban or rural district council.'"—(*Lord Denman.*)

Lord Ashbourne 28
The Earl of Pembroke and Montgomery 28

On Question, Amendment agreed to.

Lord Denman 28

Amendment moved—

"In page 6, line 41, after the word 'Court' to insert the words 'in addition to or instead of making an order under that section.'"—(*Lord Denman.*)

Lord Clonbrock 29
Lord Ashbourne 30
Lord Fitzmaurice 30

On Question, Amendment agreed to.

Drafting Amendment agreed to.

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The Earl of Meath... 31

Amendment moved—

"In page 7, line 39, to leave out the word 'section' and to insert the word 'Act.'"—(*The Earl of Meath.*)

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On Question, Amendment agreed to.

Lord Denman 35
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Amendment moved—

"In page 8, lines 4 and 5, to leave out the words 'or held for public or charitable purposes.'"—(*Lord Denman.*)

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Amendment, by leave, withdrawn.

Viscount Midleton 37

Amendment moved—

"In page 8, line 9, after '1890' to insert the words 'of any town, the population of which, according to the last census, exceeds 2,000.'"—(*Viscount Midleton.*)

Lord Denman 38
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Viscount Midleton 41

Amendment moved—

"In page 9, line 10, after '1878,' to insert the words 'The expression "working classes" shall 'include mechanics, artisans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages but working at some trade or handicraft without employing others except members of their own family, and persons other than domestic servants, whose income in any case does not exceed an average of thirty shillings a week, and the families of any such persons who may be residing with them.'"—(*Viscount Midleton.*)

Lord Denman 41

On Question, Amendment agreed to.

Bill to be read 3ª on Thursday, the 12th of November, next, and to be printed as amended. [No. 214.]

House adjourned at five minutes past Seven o'clock, till To-morrow, a quarter past Four o'clock.

HOUSE OF COMMONS: TUESDAY, 27TH OCTOBER, 1908.

PETITIONS.

LICENSED PREMISES (EXCLUSION OF CHILDREN).—40 Petitions for legislation ; to lie upon the Table 42

LICENSING BILL.—9 Petitions in favour ; to lie upon the Table 42

RETURNS, REPORTS, &c.

Cattle Drives (Ireland).—Return to be printed. [No. 310.] 43

Uganda Railway.—Return showing I. the Capital Expenditure on the Uganda Railway ; II. the Charge involved upon the Exchequer by the Capital Expenditure ; III. the Gross and Net Earnings of the Line for each year since it was opened ; to lie upon the Table 43

Crown Lands Act, 1906.—Second Report by the President of the Board of Agriculture and Fisheries as a Commissioner of Woods, Forests, and Land Revenues, by virtue of the Crown Lands Act, 1906 ; to lie upon the Table 43

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

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LICENSING [EXPENSES].—Committee to consider of authorising the payment, out of moneys provided by Parliament, of the Remuneration and

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Expenses of the Licensing Commission, in pursuance of any Act of the present Session to amend the Licensing Acts, 1828 to 1906 (King's Recommendation signified), to-morrow.—(*Mr. Whitley.*) 95

Licensing Bill.—Considered in Committee.

(In the Committee.)

[Mr. Emmott (Oldham) in the Chair.]

Clause 10 :

Amendment proposed—

"In page 6, line 14, to leave out subsection (1).—(*Mr. James Hope.*)

Question again proposed, "That lines 14 and 15 stand part of the clause."

Mr. Mond (*Chester*) 95
Mr. Austen Chamberlain (*Worcestershire, E.*) 103
Mr. Montagu (*Cambridge, Chesterton*) 113
Mr. Samuel Roberts (*Sheffield, Ecclesall*) 117
Mr. Leif Jones (*Westmoreland, Appleby*) 120
Mr. Cave (*Surrey, Kingston*) 128
The Prime Minister and First Lord of the Treasury (*Mr. Asquith, Fifeshire, E*). 135
Mr. A. J. Balfour (*City of London*) 142
Lord R. Cecil (*Marylebone, E.*) 148
Mr. C. B. Harmsworth (*Worcestershire, Droitwich*) 153
The Solicitor-General (*Sir S. Evans, Glamorganshire, Mid.*) 156
Mr. Bonar Law (*Camberwell, Dulwich*) 159
Sir Thos. Whittaker (*Yorkshire, W.R., Spen Valley*) 161
Mr. F. E. Smith (*Liverpool, Walton*) 163
Mr. E. A. Strauss (*Berks, Abingdon*) 172
Mr. Clement Edwards (*Denbigh Districts*) 176
Sir George White (*Norfolk, N.W.*) 182
Mr. Crooks (*Woolwich*) 187
Sir E. Carson (*Dublin University*) 192

Question put.

The Committee divided :—Ayes, 313 ; Noes, 129. Division List No. 294.

And it being after half-past Ten of the clock, the Chairman proceeded, in pursuance of the Order of the House of 17th July, successively to put forthwith the Question on the Amendments moved by the Government, of which notice had been given, and the Questions necessary to dispose of the Business to be concluded this day.

Amendments proposed—

"In page 6, line 23, after the word 'business' to insert the words 'or, where the licence-holder is managing the business on behalf of some other person, for the licence-holder's loss of employment.'"

"In page 6, line 25, after the word 'licence' to insert the words 'not in any case being less than the amount of one year's net profits to be determined in accordance with the rules and regulations of the Acts relating to income-tax.'"

"In page 7, line 2, at end, to add the words '(4) If the amount payable as compensation in respect of the extinction of a licence is not determined or for any other reason is not divided and paid at the time when the licence expires the Licensing Commission shall pay to the holder of the licence such sum as they think fit under the circumstances of the case in anticipation of any sum which may ultimately become

payable to him, and any sum so paid shall be deducted from his share in the compensation when the amount payable as compensation is ultimately divided and paid."—(*The Solicitor-General.*)

Amendments agreed to.

Question put, "That the Clause, as amended, stand part of the Bill."

The Committee divided:—Ayes, 314; Noes, 128. (Division List No. 295.)

Clause 11:

Amendments proposed—

"In page 7, line 3, after the word 'compensation,' to insert the words 'excluding any additional sums in respect of loss of business or employment or depreciation of fixtures.'"

"In page 7, line 12, to leave out the word 'and.'"

"In page 7, line 13, to leave out the words '(b) Any,' and to insert the words '(2) The additional sums in respect of loss of business or employment and depreciation of fixtures shall be dealt with as follows: (a) The.'"

"In page 7, line 14, after the word 'business' to insert the words 'or employment.'"

"In page 7, line 14, after the word 'to' to insert the words 'and notwithstanding any agreement to the contrary may be retained by.'"

"In page 7, line 15, to leave out the word 'any' and to insert the words '(b) The.'"—(*The Solicitor-General.*)

Amendments agreed to.

Clause, as amended, agreed to.

Committee report Progress; to sit again To-morrow.

Whereupon, Mr. SPEAKER, pursuant to the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at five minutes before Eleven o'clock.

HOUSE OF LORDS, WEDNESDAY, 28TH OCTOBER, 1908.

RETURNS, REPORTS, ETC.

Board of Education.—List of efficient secondary schools and recognised pupil-teacher centres (England), 1907–1908. 209

Canada, Australia, and New Zealand.—Further correspondence with Canada, Australia, and New Zealand relating to merchant shipping legislation 209

Trade Reports: Annual Series.—No. 4156. Persia (Seistan and Kain): Presented, and ordered to lie on the Table 209

Post Office (Foreign and Colonial Post).—The Foreign and Colonial Post (Cash on Delivery) Amendment (No. 4) Warrant, 1908. Laid before the House, and ordered to lie on the Table 209

Children Bill [SECOND READING].—Order of the day for the Second Reading read.

The Lord Steward (*Earl Beauchamp*) 209

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Moved, "That the Bill be now read 2^a."—*Earl Beauchamp*

Lord Alverstone 215
The Earl of Meath... 218
Lord Leigh... 220
The Lord Bishop of Ripon... 221
The Earl of Lytton 225
The Lord Archbishop of Canterbury 228
Lord Zouche of Haryngworth 231
The Marquess of Lansdowne 232
The Lord Privy Seal and Secretary of State for the Colonies (*The Earl of Crewe*)... 235

On Question, Bill read 2^a, and committed to a Committee of the Whole House on Wednesday next.

Law of Distress Amendment Bill.—Order of the Day read for the House being put into Committee (on recommitment).

Moved, That the House resolve itself into Committee.—(*Lord Courtney of Penwith.*)

On Question, Motion agreed to.

House in Committee accordingly.

[The Earl of Onslow in the Chair.]

Clause 1:—

The Earl of Halsbury 239

Amendment moved—

"In page 1, line 6, to leave out the words, 'any under-tenant, lodger, or other person not being the immediate tenant of such superior landlord,' and to insert the words '(*a*) any under-tenant liable to pay by equal instalments not less often than every actual or customary quarter of a year a rent which would return in any whole year the full annual value of the premises or of such part thereof as is comprised in the under-tenancy, or (*b*) any lodger, or (*c*) any other person whatsoever not being a tenant of the premises or of any part thereof, and not having any beneficial interest in any lease, under-lease, or tenancy of the premises or of any part thereof.'" (*The Earl of Halsbury.*)

Lord Courtney of Penwith 241
The Earl of Halsbury 242
The Lord Chancellor (*Lord Loreburn*) 242
Lord Ashbourne 243
Lord Courtney of Penwith 244

On Question, "That the words proposed to be left out stand part of the clause."

Their Lordships divided:—Contents, 18; Not-Contents, 57.

House adjourned at a quarter before Seven o'clock, till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS, WEDNESDAY, 28TH OCTOBER, 1908.

The House met at a quarter before Three of the Clock.

PETITIONS.

Licensing Bill.—Petition against; to lie upon the Table. Petition for alteration, to lie upon the Table. Two Petitions in favour: to lie upon the Table 245

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MOTOR CAR ACT, 1903.—Petition for alteration of Law; to lie upon the Table 245

Poor Law Amendment (Scotland) Bill.—Petition in favour; to lie upon the Table 245

Summary Jurisdiction (Scotland) Bill.—Two Petitions in favour; to lie upon the Table 245

Women's Enfranchisement Bill.—Three Petitions in favour; to lie upon the Table 245

RETURNS, REPORTS, ETC.

Post Office (Life Insurance).—Return presented, relative thereto; to lie upon the Table, and to be printed. [No. 311.] 246

Post Office (Foreign and Colonial Post).—Foreign and Colonial Post (Cash on Delivery) Amendment (No. 4) Warrant, 1908; to lie upon the Table... 246

Merchant Shipping.—Further Correspondence with Canada, Australia, and New Zealand relating to Merchant Shipping Legislation; to lie upon the Table 246

Trade Reports (Annual Series).—Diplomatic and Consular Reports, Annual Series, No. 4156; to lie upon the Table 246

Board of Education.—List of Secondary Schools in England recognised as efficient, with a List of recognised Pupil-Teacher Centres, 1907–1908; to lie upon the Table 246

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Athenry Outrage 293
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Licensing Bill.—Considered in Committee.

(In the Committee.)

[Mr. EMMOTT (Oldham) in the Chair.]

Clause 12:

Mr. Ashley (Lancashire, Blackpool) 296

Amendment proposed—

"In page 7, line 29, to leave out subsection (1)"—(*Mr. Ashley.*)

Question proposed, "That the words proposed to be left out, to the word 'reduction' in line 31, stand part of the clause."

Mr. G. D. Faber (York) 298
The Solicitor-General (Sir S. Evans, Glamorgan, Mid.) 304
Mr. A. J. Balfour (City of London) 307
Mr. Barnard (Kidderminster) 311
Mr. Younger (Ayr Burghs) 314
The Under-Secretary of State for the Home Department (Mr. Herbert Samuel, Yorks, Cleveland) 316
Sir E. Carson (Dublin University) 322
Mr. Gretton (Rutland) 327
Sir Gilbert Parker (Gravesend) 329
Mr. Tomlinson (Bury, Lancs.) 331
Mr. Lambton (Durham, S.E.) 332
Mr. Ashley 334
Mr. Austen Chamberlain (Worcestershire, E.) 335
Sir S. Evans 340
Mr. A. J. Balfour 344
Mr. Tomkinson (Cheshire, Crewe) 347
Mr. Samuel Roberts (Sheffield, Ecclesall) 348

Question put.

The Committee divided:—Ayes, 242; Noes, 95. (Division List No. 296.)

Mr. Cave (Surrey, Kingston) 353

Amendment proposed—

"In page 7, line 31, after the word 'optional,' to insert the words 'or further.'"—(*Mr. Cave.*)

Question proposed, "That those words be there added."

Sir S. Evans 354
Mr. A. J. Balfour 355

Amendment agreed to.

Amendments proposed.

"In page 7, lines 32 and 33, to leave out the words 'the remuneration and expenses of the Licensing Commission.'"

"In page 7, line 35, after the word 'Act,' to insert the words 'for which provision is not otherwise made.'"—(*Sir Samuel Evans.*)

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Amendments agreed to.

Mr. Cave 355

Amendment proposed—

"In page 7, line 40, after the word 'as,' to insert the words 'and not exceeding.'"—(*Mr. Cave.*)

Question proposed, "That those words be there inserted."

Sir S. Evans 356
Mr. Younger 356
Mr. Barnard 356
Mr. G. D. Faber 357
Mr. James Hope (Sheffield, Central) 358
Sir F. Banbury (City of London) 361
Mr. Remnant (Finsbury, Holborn)... 364
Mr. Rawlinson (Cambridge University) 364
Sir S. Evans 365
Mr. Younger 366
Sir F. Banbury 366
Mr. James Hope 366

Question put.

The Committee Divided :—Ayes, 69 ; Noes, 197. (Division List No. 297.)

Mr. Cave 369

Amendment proposed—

"In page 8, line 3, after the word 'optional,' to insert the words 'or further.'"—(*Mr. Cave.*)

Amendment agreed to.

Mr. James Hope 370

Amendment proposed—

"In page 8, line 6, after the word 'considered,' to insert the word 'all.'"—(*Mr. James Hope.*)

Question proposed, "That the word 'all' be there inserted."

Sir S. Evans 371
Mr. James Hope 372
Mr. A. J. Balfour... 372
Mr. Herbert Samuel 373
Mr. Cave 374
Mr. A. J. Balfour... 375
Sir S. Evans 376
Mr. James Hope 378

Question put.

The Committee divided :—Ayes, 80 ; Noes, 226. (Division List No. 298.)

Mr. James Hope 379

Amendment proposed—

"In page 8, line 8, to leave out subsection (3)."—(*Mr. James Hope.*)

Question proposed, "That the words proposed to be left out, to the word 'Act,' in line 14, stand part of the clause."

Mr Herbert Samuel 381
Sir E. Carson 382
Mr. G. D. Faber 382

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Mr. A. J. Balfour 383
Sir S. Evans 385

Amendment negatived.

Amendment proposed—

"In page 8, line 10, after the word 'optional,' to insert the words 'or further.'"—(*Mr. Sherwell.*)

Amendment agreed to.

Amendment proposed—

"In page 8 line 14, to leave out the word 'shall,' and to insert the word 'may.'"—(*Mr. Cave.*)

Question put. That the word "shall" stand part of the clause.

The Committee divided:—Ayes, 272; Noes, 104. (Division List No. 299.)

Motion made, and Question proposed, "That the clause, as amended, stand part of the Bill."

Mr. Cave 389

Question put.

The Committee divided:—Ayes, 300; Noes, 114. (Division List No. 300.)

And, it being after half past Ten of the Clock, the CHAIRMAN proceeded, pursuant to the Order of the House of 17th July, successively to put forthwith the Question on an Amendment moved by the Government of which notice had been given, and the Question necessary to dispose of Clause 13.

Clause 13:

Amendment proposed—

"In page 8, line 36, after the word 'compensation,' to insert the words 'in respect of statutory reduction.'"—(*Sir Samuel Evans.*)

Question, "That those words be there inserted," put, and agreed to.

Question put, "That the Clause, as amended, stand part of the Bill."

The Committee divided:—Ayes, 303: Noes 115. (Division List No. 301.)

Committee report Progress; to sit again To-morrow.

LICENSING [EXPENSES].

Considered in Committee.

(In the Committee.)

Motion made, and Question proposed, "That it is expedient to authorise the payment, out of moneys provided by Parliament, of the Remuneration and Expenses of the Licensing Commision, in pursuance of any Act of the present session to amend the Licensing Acts, 1828 to 1906."—(*Mr. Solicitor-General.*)

Question put forthwith, pursuant to the Order of the House of 17th July.

The Committee divided:—Ayes, 302; Noes, 113. (Division List No. 302.)

Resolution to be reported To-morrow.

THE DISORDER IN THE GALLERIES.

Mr. Asquith ... ...
Mr. Speaker ... ...

Whereupon Mr. SPEAKER, pursuant to the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at Eleven o'clock.

HOUSE OF LORDS, THURSDAY, 29TH OCTOBER, 1908.

PRIVATE BILL BUSINESS.

Kirkcaldy and Dysart Water Order Confirmation Bill [H.L.].—Presented by the Lord Herschell; read 1^{a}; to be printed; and (pursuant to the Private Legislation Procedure (Scotland) Act, 1899, Section 7) deemed to have been read 2^{a}, and reported from the Committee. [No. 215.] ... 405

RETURNS, REPORTS, &c.

Colonies: Annual.—No. 581. Mauritius. Report for 1907. Presented, and ordered to lie on the Table. 405

NEW BILL.

Agricultural Holdings (Scotland) Bill [H.L.]—Presented by the Earl Carrington; read 1^{a}, and to be printed.—[No. 216]... 405

Local Authorities (Admission of the Press) Bill.—Order of the Day for the House to be put into Committee, read.

Moved, "That the House do now resolve itself into Committee."—(*The Earl of Donoughmore.*)

On Question, Motion agreed to.

House in Committee accordingly.

[The Earl of ONSLOW in the Chair.]

Clause 1:

Lord Belper 405

Amendment moved—

"In page 1, line 5, at the beginning of subsection (1) to insert the words 'The public including.'"—(*Lord Belper.*)

The Earl of Donoughmore 406
Lord Allendale 407
Lord Belper 408
The Earl of Camperdown 408
Lord Burghclere 409
The Marquess of Lansdowne 409
Lord Belper 409

Amendment, by leave withdrawn.

The Duke of Northumberland 409

Amendment moved—

"In page 1, line 5, to leave out from the beginning of subsection (1) to the word 'provided' in line 6, and to insert the words 'Every local authority shall appoint one or more reporters who shall record the debates and proceedings of such authority.'"—(*The Duke of Northumberland.*)

The Earl of Donoughmore 412
Lord Faber... 413
The Marquess of Lansdowne 413
Lord Allendale 414
Lord Belper 414
The Duke of Northumberland 415

Amendment, by leave, withdrawn.

Amendment moved—

"In page 1, line 12, to leave out from the word 'interest' to the end of the subsection."—(*The Earl of Donoughmore.*)

On Question, Amendment agreed to.

The Earl of Donoughmore 415

Amendment moved—

"In page 1, line 23, to leave out the words 'feels aggrieved by,' and to insert the words 'is excluded under.'"—(*The Earl of Donoughmore.*)

Earl Russell 416

On Question, Amendment agreed to.

Lord Belper 416

Amendment moved—

"In page 1, line 23, to page 2, line 5, to leave out subsection (3.)"—(*Lord Belper.*)

The Earl of Donoughmore 417
Lord Allendale 417
Lord Faber 418
The Duke of Northumberland 418
Earl Russell 418
The Marquess of Bath 418
Lord Belper 419
Earl Russell 419
Lord Allendale 420
The Marquess of Lansdowne 420
The Chancellor of the Duchy (Lord Fitzmaurice) 420

On Question, Amendment agreed to.

The Earl of Donoughmore 421

Amendment moved—

"In page 2, lines 6 and 7, to leave out the words 'or the local representative.'"—(*The Earl of Donoughmore.*)

On Question, Amendment agreed to.

The Earl of Donoughmore 421

Amendment moved—

"In page 2, line 7, after the word 'newspaper,' to insert the words 'ordinarily represented at the meetings of the local authority.'"—(*The Earl of Donoughmore.*)

On Question, Amendment agreed to.

Consequential Amendment agreed to.

Lord Belper 421

Amendment moved—

"In page 2, lines 6 to 10, to leave out subsection (4)."—(*Lord Belper.*)

The Earl of Camperdown 422
The Earl of Donoughmore 422

On Question, Amendment agreed to.

Clause 1, as amended, agreed to.

Clause 2:

Lord Courtney of Penwith 423

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Amendment moved—

"In page 3, line 10, after the word 'newspapers,' to insert the words 'and shall include any person qualified as a journalist according to the charter and bye-laws of the Institute of Journalists.'"—(*Lord Courtney of Penwith.*)

The Earl of Donoughmore ... 424
Lord Courtney of Penwith ... 425

Amendment, by leave, withdrawn.

Clause 2 agreed to.

Clauses 3 and 4 agreed to.

Clause 5:

The Earl of Camperdown ... 425

Amendment moved—

"In page 3, lines 27 to 31, to leave out Paragraph (*c*), and to insert the following new paragraph: '(*c*) Any other local body, board, joint board, or committee which has or may hereafter have the power to make a rate, and which does not require to report its proceedings to any other local authority.'"—(*The Earl of Camperdown.*)

The Earl of Donoughmore ... 425
Lord Herschell ... 426

On Question, Amendment, as amended, agreed to.

Clause 5, as amended, agreed to.

Clause 6:

The Earl of Camperdown ... 426

Clause agreed to.

Bill re-committed to the Standing Committee, and to be printed as amended. [No. 217.]

SMALL HOLDINGS.

Lord Monk-Bretton ... 426
The Earl of Kimberley ... 429
The Earl of Harrowby ... 431
Lord Allendale ... 431
The Lord President of the Board of Agriculture and Fisheries (Earl Carrington) ... 433

OLD-AGE PENSIONS—TREASURY REGULATIONS.

The Earl of Camperdown ... 433

Moved, "That an humble Address be presented to His Majesty, praying that His Majesty will annul Regulation No. 25 which has been laid before Parliament in pursuance of the Act."—(*The Earl of Camperdown.*)

Lord Fitzmaurice ... 438
Lord Robertson ... 442
The Lord Chancellor (Lord Loreburn) ... 445
The Marquess of Lansdowne ... 446
Lord Belper ... 449

On Question,

Their Lordships divided:—Contents, 48; Non-Contents, 28.

The said Address to be presented to His Majesty by the Lords with White Staves

House adjourned at a Quarter before Eight o'clock, to Monday next, a Quarter past Four o'clock

HOUSE OF COMMONS, THURSDAY, 29TH OCTOBER, 1908.

The House met at a quarter before Three of the Clock

PRIVATE BILL BUSINESS.

North British Railway Order Confirmation Bill.—Presented by Mr. Sinclair; read the first time; and ordered (under Section 9 of the Act) to be read a second time upon Friday, 6th November, and to be printed. [Bill 364.] ... 451

PRIVATE BILLS (GROUP M).—Ordered, that Mr. John Hall Rider do attend the Committee on Group M of Private Bills To-morrow, at Eleven of the Clock ... 452

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Colonial Reports (Annual).—Report, No. 581 (Mauritius, Annual Report for 1907); to lie upon the Table ... 453

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SELECTION (STANDING COMMITTEES).—Sir WILLIAM BRAMPTON GURDON reported from the Committee of Selection.
    Report to lie upon the Table ... 513

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NEW BILL.

Unemployed Workmen Act (1905) **Amendment Bill.**—To be read a second time upon Tuesday, 10th November, and to be printed. [Bill 365.] ... 513

LICENSING (EXPENSES).

Resolution reported.

"That it is expedient to authorise the payment, out of moneys provided by Parliament, of the Remuneration and Expenses of the Licensing Commission, in pursuance of any Act of the present Session to amend the Licensing Acts, 1828 to 1906."

Motion made, and Question proposed, "That this House doth agree with the Committee in the said Resolution."

Mr. G. D. Faber (York) ... 514
Sir F. Banbury (City of London) ... 516
Mr. James Hope (Sheffield, Central) ... 518
Earl Winterton (Sussex, Horsham) ... 519
The Solicitor-General (Sir S. Evans, Glamorganshire, Mid) ... 520
Mr. Walter Long (Dublin, S.) ... 521
Mr. Barnard (Kidderminster) ... 522
Mr. Austen Chamberlain (Worcestershire, E.) ... 523
Sir S. Evans ...
Sir Henry Craik (Glasgow and Aberdeen Universities) ... 523
Viscount Castlereagh (Maidstone) ... 524

Question put, and agreed to.

Licensing Bill.—Considered in Committee

(In the Committee.)

[Mr. EMMOTT (Oldham) in the Chair.]

Clause 14:

Mr. G. D. Faber ... 524
Mr. Austen Chamberlain ... 527
Sir S. Evans ... 528
Mr. Walter Long (Dublin, S.) ... 529
Sir F. Banbury ... 550
Mr. Lane Fox (Yorkshire, W.R., Barkston Ash) ... 531
Mr Goulding (Worcester) ... 532
Mr. G. A. Hardy (Suffolk, Stowmarket) ... 533
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Mr. Montagu (Cambridgeshire, Chesterton) ... 544
Mr. Austen Chamberlain ... 545
The Secretary of State for the Home Department (Mr. Gladstone, Leeds, W.) 547
Earl Winterton ... 547

Question put, That subsection 1 stand part of the clause.

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Question put.

The Committee Divided:—Ayes, 269; Noes, 79. (Division List No. 303.)

Mr. Samuel Roberts (Sheffield, Ecclesall) 551

Amendment proposed—

"In page 9, line 5, at end, to insert the words 'and one of such Commissioners shall be either a barrister-at-law of at least seven years standing who has had practising experience of licensing law or a solicitor who as for at least three years since the coming into law of the Licensing Act, 1904, acted as clerk to any bench of licensing justices or to any licensing authority.'"—(*Mr. Samuel Roberts.*)

Queston proposed, "That those words be there inserted."

Sir S. Evans 553
Mr. A. J. Balfour (City of London) 554
Mr. Lambert (Durham, S.E.) 555

Amendment negatived.

Mr. Lane-Fox (Yorkshire, W.R., Barkston Ash) 555

Amendment proposed—

"In page 9, line 5, at end, to insert the words 'who shall hold office by the same tenure as a Judge of the High Court of Justice.'"—(*Mr. Lane-Fox.*)

Queston proposed, "That those words be there inserted."

Sir S. Evans 556
Lord R. Cecil (Marylebone, E.) 556
Mr. Rawlinson (Cambridge University) 557
Mr. Bonar Law 558
Sir S. Evans 559
Mr. Austen Chamberlain 560
Mr. A. J. Balfour 560
Mr. Goulding (Worcester) 562
Mr. Nussey (Pontefract) 562

Amendment, by leave, withdrawn.

Mr. Lambton 563

Amendment proposed—

"In page 9, line 5, at the end, to insert the words 'but no gentleman who has held a seat in the present Parliament shall be appointed a Commissioner.'"—(*Mr. Lambton.*)

Question proposed, "That those words be there inserted."

Sir S. Evans 564
Mr. Austen Chamberlain 565
Mr. Gretton (Rutland) 565
Mr. Neild (Middlesex, Ealing) 566

Question put.

The Committee Divided:—Ayes, 82; Noes, 252. (Division List No. 304.)

Mr. G. A. Hardy (Suffolk, Stowmarket) 569

Amendment proposed—

"In page 9, line 5, at the end, to insert the words 'Provided that no person financially interested in the liquor trade shall be appointed a Commissioner.'"—(*Mr. G. A. Hardy.*)

Question proposed, "That those words be there inserted."

Mr. Jesse Collings (Birmingham, Bordesley) 571
Mr. Goulding 571

Amendment to the proposed Amendment proposed—

"After the word 'trade,' to insert the words 'or in any of the goods usually sold in licensed establishments.'"—(*Mr. Goulding.*)

Amendment to the proposed Amendment agreed to.

Sir S. Evans ... 572
Mr. Gretton ... 572

Amendment to the proposed Amendment proposed—

"After the words last inserted, to insert the words 'nor anyone who is or has been financially interested in any temperance society.'"—(*Mr. Gretton.*)

Amendment to proposed Amendment, agreed to.

Question proposed, "That those words as amended, be there inserted."

Sir S. Evans ... 573
Sir E. Carson (Dublin University) ... 573

Question put.

The Committee divided :—Ayes, 71 ; Noes, 237. (Division List No. 305.)

Mr. Lane-Fox ... 575

Amendment proposed—

"In page 9, line 10, to leave out subsection (3)."—(*Mr. Lane-Fox.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

Mr. Barnard ... 578
Mr. W. Thorne (West Ham, S.) ... 580
Mr. G. D. Faber ... 580
Sir S. Evans ... 581
Mr. Forster (Kent, Sevenoaks) ... 582
Mr. Remnant (Finsbury, Holborn) ... 582
Mr. James Hope ... 584
Sir F. Banbury ... 587
Mr. Herbert Samuel ... 588
Mr. Bonar Law ... 589
Mr. Rees (Montgomery Boroughs) ... 590
Mr. Rawlinson ... 592

Question put.

The Committee divided :—Ayes, 223 ; Noes, 63. (Division List No. 306.)

Mr. Samuel Roberts ... 597

Amendment proposed—

"In page 9, line 20, to leave out the word 'may,' and to insert the word 'shall.'"—(*Mr. Samuel Roberts.*)

Question proposed, "That the word 'way' stand part of the clause.'"

Sir S. Evans ... 597
Mr. Clavell Salter (Hants, Basingstoke) ... 598
Mr. Nussey (Pontefract) ... 599
Mr. Carlile (Hertfordshire, St. Albans) ... 600
Mr. Courthope ... 600
Sir S. Evans ... 601

Amendment negatived.

Sir S. Evans ... 601

Amendment proposed—

"In page 9, line 26, at the beginning, to insert the words 'The remuneration and expenses of the Licensing Commission shall be paid out of moneys provided by Parliament, and.'"—(*Mr. Solicitor-General.*)

Amendment agreed to.

Mr. James Hope 601

Amendment proposed—

"In page 10, line 2, at end, to add the words '(10) Every decision of the Licensing Commission shall be subject to an appeal by any person affected to the King's Bench Division on the ground of a biassed or unreasonable exercise of their powers under this Act.'"—(*Mr. James Hope.*)

Question proposed, "That those words be there added."

Mr. Clavell Salter 603
Mr. Wyndham (Dover) 605
Mr. Jesse Collings 607
Sir S. Evans 608
Mr. Bonar Law 610

Question put.

The Committee divided :—Ayes, 98 ; Noes, 292. (Division List No. 307.)

And, it being after half-past Ten of the Clock, the Chairman proceeded, in pursuance of the Order of the House of 17th July, to put forthwith the Questions necessary to dispose of the Business to be concluded this day.

Question put, "That the Clause, as amended, stand part of the Bill."

The Committee divided :—Ayes, 293 ; Noes, 96. (Division List No 308.)

Clause 15 :

Question put, "That the Clause stand part of the Bill."

The Committee divided : Ayes, 291 ; Noes, 94. (Division List No. 309.)

Clause 16 :

Question put, "That the Clause stand part of the Bill.

The Committee divided : Ayes, 291 ; Noes, 91. (Division List No. 310.)

Clause 17 agreed to.

Committee report Progress ; to sit again To-morrow.

Whereupon Mr. SPEAKER, pursuant to the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at eleven minutes after Eleven o'clock.

HOUSE OF COMMONS: FRIDAY, 30TH OCTOBER, 1908.

The House met at Twelve noon of the Clock.

PETITIONS.

Education (Scotland) Bill.—Petition for alteration ; to lie upon the Table ... 629

ENFRANCHISEMENT OF WOMEN.—Petition for legislation ; to lie upon the Table 629

Licensing Bill.—26 Petitions against ; to lie upon the Table.
Petition for alteration ; to lie upon the Table.
6 Petitions in favour ; to lie upon the Table... 629

Poor Law Amendment (Scotland) Bill—4 Petitions in favour ; to lie upon the Table 629

RETURNS, REPORTS, ETC.

Irish Land Commission.—Return of Advances made under the Irish Land Act, 1903, during the month of February, 1908 ; to lie upon the Table ... 629

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Irish Land Commission.—Index to Estates comprised in Returns of Advances under the Irish Land Act, 1903, during the year ended 31st December, 1907; to lie upon the Table 629

Local Government Board (Ireland).—Order with respect to the Urban County District of Keady; to lie upon the Table 630

Census of Production Act, 1906.—Rules made by the Board of Trade under the Act; to lie upon the Table 630

Shop Hours Act, 1904.—Order made by the Councils of the Boroughs of Cheltenham and Dukinfield, fixing the Hours of Closing for certain classes of Shops; to lie upon the Table 630

Trade Reports (Annual Series).—Diplomatic and Consular Reports, Annual Series, Nos. 4,157 to 4,158; to lie upon the Table 630

Railway Companies (Charitable and Other Contributions, 1907.)—Return ordered, "showing in detail the amounts contributed by the Railway Companies of the United Kingdom, during the year 1907, to Institutions and Associations of various character not directly controlled by the Companies and not for the exclusive benefit of the Companies' servants" 630

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Distress Committees in Ireland 630
Position of Mr. Maguire, Royal Irish Constabulary 631
Erection of Orange Arches at Brookeborough 632
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Laying Down of new Battleships 635
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Licences Extinguished and Compensation Paid 636
Proceeding for Rent on the Estate of D. C. O'Donnell 636
Sale of O'Donoghue Estate, County Kerry 637
Return of Serious Crime 637

Selection (Standing Committees.)—Sir William Brampton Gurdon reported from the Committee of Selection.
Reports to lie upon the Table 637

Licensing Bill.—Considered in Committee.

(In the Committee.)

[Mr. Emmott (Oldham) in the Chair.]

Clause 18:

Mr. Gibbs (Bristol, W.) 638

Amendment proposed—

"In page 11, line 27, to leave out subsection (1)."—(*Mr. Gibbs.*)

Question proposed, "That the words proposed to be left out down to the word 'shall' in line 28, stand part of the Clause."

The Prime Minister and First Lord of the Treasury (Mr. Asquith, Fifeshire, E.) 640
Mr. A. J. Balfour (City of London) 643
Sir Thomas Whittaker (Yorkshire, W.R., Spen Valley) 651

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Earl Winterton (Sussex, Horsham) 657
Mr. Barnes (Glasgow, Blackfriars) 662
Mr. W. Johnson (Warwickshire, Nuneaton) 665
Mr. Jesse Collings (Birmingham, Bordesley) 667
The Lord-Advocate (Mr. Thomas Shaw, Hawick Burghs) 672
Mr. Walter Guinness (Bury St. Edmunds) 678
Mr. G. Gooch (Bath) 682
Mr. Talbot (Oxford University) 684
The Vice-President of the Department of Agriculture for Ireland (Mr. T. W. Russell, Tyrone, S.) 686
Colonel Lockwood (Essex, Epping) 689
Mr. Thomas Richards (Monmouthshire, W.) 692
Mr. Forster (Kent, Sevenoaks) 696
Mr. Brace (Glamorganshire, S.) 698
Mr. W. R. Rea (Scarborough) 700
Mr. Patrick White (Meath, N.) 701
The Under-Secretary of State for the Home Department (Mr. Herbert Samuel; Yorkshire, Cleveland) 702
Mr. Austen Chamberlain (Worcestershire, E.) 706
Mr. Hunt (Shropshire, Ludlow) 706
Mr. John Ward (Stoke-on-Trent) 706
Sir S. Evans 708

Question put.

The Committee divided:—Ayes, 250; Noes, 39. (Division List No. 311.)

Question put, "That the Clause stand part of the Bill."

The Committee divided:—Ayes, 237; Noes, 55. (Division List No. 312.)

Clause 19:

And, it being after Five of the Clock, the CHAIRMAN proceeded, pursuant to the Order of the House of 17th July, successively to put forthwith the Questions on the Amendments moved by the Government, of which notice had been given, and the Question necessary to dispose of the Business to be concluded this day.

Amendment proposed—

"In page 12, line 8, to leave out from beginning to the first word 'the' in line 9."—(*Mr. Herbert Samuel.*)

Question put, "That the Amendment be made."

The Committee divided:—Ayes, 228; Noes, 61. (Division List No. 313.)

Amendment proposed—

"In page 12, line 9, after the word 'license,' to insert the words 'of any licensed premises.'"

"In page 12, line 15, to leave out the words 'to which this section is applied.'"

"In page 12, line 20, to leave out the words 'to which this section is applied.'"

"In page 12, line 24 at beginning, to insert the words 'In this section the expression "child" means a child under the age of fourteen years and.'"

"In page 12, line 26, to leave out the words 'a specified,' and to insert the word 'that.'"

"In page 12, line 29, to leave out from beginning to the word 'premises,' in line 30, and to insert the words 'nothing in this section shall apply in the case of a child who is resident but not employed in the licensed premises or in the case of.'"—(*Mr. Herbert Samuel.*)

Amendments agreed to.

Question put, "That the clause, as amended, stand part of the Bill."

The Committee divided :—Ayes, 229 ; Noes, 56. (Division List No. 314.)

Committee report Progress ; to sit again upon Monday next.

Whereupon Mr. SPEAKER, pursuant to the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at Twenty-six minutes after Five o'clock till Monday next.

HOUSE OF LORDS, MONDAY, 2ND NOVEMBER, 1908.

EARL OF ROSSE.—Report made from the Lord Chancellor that the right of William Edward, Earl of Rosse in the Peerage of Ireland, to vote at the elections of Representative Peers for Ireland has been established to the satisfaction of the Lord Chancellor ; read and ordered to lie on the Table 721

RETURNS, REPORTS, &c.

Trade Reports : Annual Series.—No. 4157. Spain. No. 4158. France ... 721

Irish Land Commission.—Returns of advances made under the Irish Land Act, 1903, during the month of February, 1908. Index to estates comprised in returns of advances made under the Irish Land Act, 1903, during the year ended 31st December, 1908. Proceedings : Return for the month of September, 1908. Presented and ordered to lie on the Table ... 721

Cran Measures Act, 1908.—Regulations made by the Board of Agriculture and Fisheries under the provisions of the above Act 721

Census of Production Act 1908.—Rules made by the Board of Trade, LXXVIII. to CXII. 721

Local Government Board (Ireland).—Order with respect to the urban county district of Keady 721

Shop Hours Act, 1904.—Orders made by the following borough councils, fixing the hours for closing for certain classes of shops within the boroughs —Cheltenham ; Dunkinfield 721

Post Office (Foreign and Colonial Parcel Post).—The Foreign and Colonial Parcel Post Amendment (No. 26) Warrant 722

Merchant Shipping (Mercantile Marine Fund) Act, 1898.—Draft Order in Council altering the scale and rules set out in the Second Schedule to the Act, for the purpose of the levying of the light dues in pursuance of the Act 722

Foreign Jurisdiction Act, 1890.—Orders in Council, entitled—The Nigeria Coinage Order, 1908 ; The Zanzibar (Amendment) Order in Council, 1908 722

Naval and Marine Pay and Pensions Act, 1865.—Seven Orders in Council under the above-named Act 722

Merchant Shipping Act, 1894.—Order in Council, prescribing an alternative form of indenture of apprenticeship to the sea fishing service to be used at Grimsby. Laid before the House, and ordered to lie on the Table ... 722

University of London Act, 1898.—Amendment of Statute No. 125 of the Statutes of the University of London. Laid before the House, and to be printed. (No. 218) 722

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Nurses Registration Bill [H.L.]. Report of Amendments received (according to Order). Verbal Amendments to Clause 2 agreed to.

Lord Ampthill 722
Lord Ashbourne 723

Amendment moved—

"To leave out Clause 11."—(*Viscount Wolverhampton.*)

On Question, Amendment agreed to.

Amendment moved—

"To insert the following new Clause 11:—Any person who within three years from the commencement of this Act claims to be registered thereunder shall be so registered, provided such person is at least twenty-one years of age and is of good character, and either (1) holds a three years certificate of training from a hospital or from hospitals approved by the Council, or from an institution or institutions which the Local Government Board recommend, and certify to be wholly or partly maintained out of rates; or (2) holds a certificate of similar training as a nurse authorised by the Lords Commissioners of the Admiralty for the sick berth staff of the Royal Navy, or as a nurse authorised by the Army Council for soldiers of the Royal Army Medical Corps; or (3) holds a certificate from the Local Government Board for Ireland, that she possesses the qualifications prescribed for the purposes of Section 58 of the Local Government (Ireland) Act, 1898; or (4) produces evidence of training satisfactory to the Council, and has in addition been for at least three years in *bona fide* practice as a nurse or employed as a nurse in a naval or military hospital."—(*Viscount Wolverhampton.*)

The Marquess of Salisbury 725

Amendment moved to the proposed new clause—

"In line 4, to leave out the words 'three years,' and in line 5, after the word 'training' to insert the words 'for such period as may be prescribed by the rules framed under the provisions of the Act.'"—(*The Marquess of Salisbury.*)

Lord Ampthill 725

On Question, Amendment to the proposed new clause, agreed to

The Marquess of Salisbury 725

Amendment moved to the proposed new clause—

"In lines 5 and 6, to leave out the words 'approved by the Council' and to insert 'named in such rules.'"—(*The Marquess of Salisbury.*)

Viscount Wolverhampton 727
Lord Ampthill 727

Amendment, by leave, withdrawn.

"In lines 15 and 16 to leave out the words 'evidence of training satisfactory to the Council,' and to insert the words 'evidence satisfactory to the Council of training prescribed by the rules framed under the provisions of this Act.'"—(*The Marquess of Salisbury.*)

On Question, Amendment agreed to.

Proposed new clause, as amended, agreed to.

Amendment moved—

"To leave out Clause 12."—(*Viscount Wolverhampton.*)

On Question, Amendment agreed to.

Viscount Wolverhampton 728

Amendment moved—

"To insert the following new clause: '12. At the expiration of the said term of three years any person who claims to be registered under this Act shall be entitled to be so registered, provided that such person produces evidence satisfactory to the Council that he or she has been trained in the wards of a hospital or of hospitals approved of by the Council, or in an institution or institutions which the Local Government Board recommend and certify to be wholly or partly maintained out of rates, or has been trained as a nurse under regulations authorised by the Lords Commissioners of the Admiralty for the sick berth staff of the Royal Navy, or as a nurse authorised by the Army Council for soldiers of the Royal Army Medical Corps for such term as may be fixed by the Council, and has passed such examination as the Council may prescribe, or produces a certificate of having passed an examination which the Council accepts in lieu thereof.'"—(*Viscount Wolverhampton.*)

On Question, Amendment agreed to.

The Earl of Donoughmore 729

Amendment moved—

"To insert the following new clause: '13. If the Council refuse to recognise any hospital or institution as an approved training school for nurses under this Act, the governing body of such hospital or institution, or any person aggrieved by such refusal, may make a representation to the Privy Council, and the decision of the Privy Council shall be binding on the Council.'"—(*The Earl of Donoughmore*)

Lord Ashbourne 729
Viscount Wolverhampton 729
Lord Ashbourne 729
The Lord Privy Seal and Secretary of State for the Colonies (The Earl of Crewe 729
The Lord Chancellor (Lord Loreburn) 730

On Question, proposed New Clause agreed to.

Viscount Wolverhampton 730

Amendment moved—

"In page 6, line 23, after the word 'council' to insert the words 'or who have qualified as medical attendants to the Royal Army Medical Corps."—(*Viscount Wolverhampton.*)

On Question, Amendment agreed to.

Drafting Amendment agreed to.

Bill to be read 3ª on Tuesday the 10th instant, and to be printed as amended. [No. 219.]

House adjourned at five minutes before Five o'clock, till To-morrow, a quarter past Four o'clock.

HOUSE OF COMMONS: MONDAY, 2ND NOVEMBER, 1908.

The House met at a quarter before Three of the Clock.

RETURNS, REPORTS, ETC.

Cran Measures Act, 1908.—Regulations made by the Board of Agriculture and Fisheries under the Act; to lie upon the Table 731

Post Office (Foreign and Colonial Parcel Post).—Foreign and Colonial Parcel Post Amendment (No. 24) Warrant, 1908; to lie upon the Table... 731

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Irish Land Commission (Proceedings).—Return of Proceedings during the month of September, 1908; to lie upon the Table 731

Census of Production Act, 1906.—Rules made by the Board of Trade; to lie upon the Table 731

University of London Act, 1898.—Amendment of Statute No. 125 of the Statutes of the University of London; to lie upon the Table 731

Foreign Jurisdiction Act, 1890.—Orders in Council, dated 19th October, 1908, entitled (1) The Nigeria Coinage Order, 1908; (2) The Zanzibar (Amendment) Order in Council, 1908; to lie upon the Table 731

Merchant Shipping Act, 1894.—Order in Council, prescribing an alternative form of Indenture of Apprenticeship to the Sea Fishing Service, to be used at Grimsby; to lie upon the Table 731

Naval and Marine Pay and Pensions Act, 1865.—Copies presented, of Seven Orders in Council, dated 19th October, 1908 approving Memorials of the Lords Commissioners of the Admiralty; to lie upon the Table ... 732

Railway Companies (Charitable and other Contributions, 1907).—Return presented, relative thereto; to lie upon the Table, and to be printed. [No. 312.] 732

Merchant Shipping (Mercantile Marine Fund) Act, 1898.—Draft Order in Council altering the Scale and Rules set out in the Second Schedule to the Act, for the purpose of the levying of the Light dues in pursuance of the Act; to lie upon the Table 732

Trade Reports (Annual Series).—Dimplomatic and Consular Reports, Annual Series, Nos. 4,159 and 4,160; to lie upon the Table 732

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SELECTION (STANDING COMMITTEES).—Sir WILLIAM BRAMPTON GURDON reported from the Committee of Selection.

Report to lie upon the table 796

Licensing Bill.—Considered in Committee.
(In the Committee.)

[Mr. EMMOTT (Oldham) in the Chair.]

Clause 20:

Mr. Bottomley (Hackney, S.) 797

Amendment proposed—

"In page 13, line 5, to leave out subsection (1):"—(*Mr. Bottomley.*)

Question proposed, "That the words 'licensing justices" stand part of the Clause."

Mr. Ashley (Lancashire, Blackpool) 804
The Prime Minister and First Lord of the Treasury (Mr. Asquith, Fifeshire, E.)... 808
Mr. A. J. Balfour (City of London) 814
Mr. Asquith 818
Mr. Cave (Surrey, Kingston) 819
Mr. Helme (Lancashire, Lancaster) 821
Mr. Barnard (Kidderminster) 823
Mr. Stuart Wortley (Sheffield, Hallam) 825
The Solicitor-General (Sir S. Evans, Glamorganshire, Mid.) 826
Mr. Adkins (Lancashire, Middleton) 828
Mr. Gibbs (Bristol, W.) 828
Mr. Verney (Buckinghamshire, N.) 829
Mr. Arthur Henderson (Durham, Barnard Castle) 830
Sir S. Evans 831
Mr. G. D. Faber (York) 831
Mr. Herbert (Buckinghamshire, Wycombe) 834
Mr. Walter Long (Dublin, S.) 835
Sir S. Evans 838
Sir F. Banbury (City of London) 838
Mr. Boulton (Huntingdonshire, Ramsey) 839
Mr. Austen Chamberlain 840
Viscount Castlereagh (Maidstone) 841
Mr. G. A. Hardy (Suffolk, Stowmarket) 842
Mr. H. H. Marks (Kent, Thanet) 843
Sir E. Carson (Dublin University)... 844
Mr. Asquith 844
Mr. Hemmerde (Denbighshire, E.) 845
Mr. Brodie (Surrey, Reigate) 846
Lord Willoughby de Eresby (Lincolnshire, Horncastle) 846
Mr. Hunt (Shropshire, Ludlow) 847
Col. Walker (Lancashire, Widnes) 847
Mr. Fell (Great Yarmouth) 848

Question put.

The Committee divided:—Ayes, 267; Noes, 83. (Division List No. 315.)

Sir E. Sassoon 851

Amendment proposed—

"In page 13, line 6, after the word 'on-licence,' to insert the words 'in respect of premises other than premises constructed, fitted, and intended to be used in good faith for any purpose to which the holding of a licence is merely auxiliary.'"—(*Sir Edward Sassoon.*)

Question proposed, "That those words be there inserted."

Sir S. Evans 853
Mr. Austen Chamberlain 854
Mr. Cave 854
Mr. Lyttelton (St. George's, Hanover Square) 854
Mr. Herbert Samuel 856
Mr. William Rutherford (Liverpool, West Derby) 858
Mr. Clavell Salter (Hants, Basingstoke) 858
Mr. J. Johnson (Gateshead) 859
Mr. A. J. Balfour 860
Mr. Asquith 861
Mr. William Rutherford 863
Mr. Lyell (Dorsetshire, E.) 863
Mr. Younger 864
Sir S. Evans 864
Sir George White (Norfolk, N.W.) 865
Mr. Lupton (Lincolnshire, Sleaford) 865
Mr. H. H. Marks 866
Mr. William Rutherford 867
Mr. Luttrell (Devonshire, Tavistock) 868
Mr. Markham (Nottinghamshire, Mansfield) 868
Mr. Findlay (Lanarkshire, N.E.) 869
Mr. Barnard 869
Mr. William Rutherford 870

Amendment negatived.

Amendment proposed—

"In page 13, line 8, to leave out paragraph (*a*)."—(*Sir. S. Evans.*)

Question proposed, "That the words 'the employment of' stand part of the Clause."

Mr. Ramsay MacDonald (Leicester) 876
Dr. Rutherford (Middlesex, Brentford) 877
Mr. Ashley 880
Mr. Maddison (Burnley) 882
Mr. John Ward (Stoke-on-Trent) 884
Mr. Leif Jones (Westmoreland, Appleby) 886
Mr. F. E. Smith 889
Mr. George Roberts (Norwich) 894
Sir S. Evans 896
Mr. Ellis Griffith (Anglesey) 898
Mr. Leif Jones 899
Mr. Hemmerde 899

Question put.

The Committee divided. Ayes, 61; Noes, 294. (Division List No. 316.)

Remaining words of Paragraph (*a*) omitted.

And, it being after half-past Ten of the Clock, the Chairman proceeded, pursuant to the Order of the House of 17th July, to put forthwith the Question necessary to dispose of the business to be concluded this day.

Question put, "That the clause, as amended, stand part of the Bill."

The Committee divided:—Ayes, 293; Noes, 99. (Division List No. 317.)

Committee report progress; to sit again To-morrow.

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London Electric Supply Bill [Lords]. Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

Mr. Morton (Sutherland) 907
Mr. Cochrane (Ayrshire, N.) 908

Question put and agreed to.

Bill read a second time and committed.

The President of the Board of Trade (Mr. Churchill, Dundee) 909

Ordered, That it be an Instruction to the Committee to which the Bill is referred, that they have power to insert a provision constituting the London County Council the purchasing authority on equitable terms. That existing purchasing authorities or any other person affected by such a provision shall be entitled to be heard before the Committee upon any Petition presented not later than 4th November.—(*Mr. Churchill.*)

Mr. Timothy Davies (Fulham) 912

Motion made, and Question proposed, "That it be an instruction to the Committee to which the Bill is referred to insert a clause making it clear: (1) That the companies shall not be entitled in the event of the purchase of their undertakings, to any additional sum by reason of the exercise of the powers by this Act authorising agreements between the said companies for mutual assistance or association; and (2) that the companies shall not be entitled, in the event of the purchase of their undertakings, to any sum in respect of any loss occasioned by severance from such undertakings of any mains or works laid or constructed under the provisions of this Act."—(*Mr. Timothy Davies*).

Mr. Churchill 913

Motion, by leave, withdrawn,

Mr. Claude Hay (Shoreditch, Hoxton) 914

Motion made, and Question proposed, "That it be an Instruction to the Committee to insert such provisions in the Bill as will ensure that the powers proposed by the Bill to be conferred upon the London Electric Supply Companies shall be conferred also on the local authorities who are authorised distributors in the Administrative County of London."—(*Mr. Claude Hay.*)

Mr. Churchill 915
Mr. Lough (Islington, W.)... 916
Mr. Bonar Law (Dulwich) 916
Mr. Churchill 916
Sir Edwin Cornwall (Bethnal Green, N.E.) 917
Sir Samuel Scott (Marylebone, W.) 917
Mr. Claude Hay 918

Amendment proposed—

"In line 1, after the word 'Committee,' to insert the words 'that they have the power.'"—(*Sir F. Banbury.*)

Question proposed, "That those words be there inserted."

Mr. Lough 919
Mr. Bonar Law 919

Question put, and agreed to.

Main Question, as amended, put, and agreed to.

Ordered, That it be an Instruction to the Committee that they have power to insert such provisions in the Bill as will ensure that the powers

proposed by the Bill to be conferred upon the London Electric Supply Companies shall be conferred also on the local authorities who are authorised distributors in the Administrative County of London.

London (Westminster and Kensington) Electric Supply Companies Bill.—Read a second time, and committed.

Ordered, That it be an Instruction to the Committee to which the Bill is referred to insert a provision binding the promoting Companies not to offer opposition to any future legislative proposal to constitute the London County Council the purchasing authority."—(*Mr. Churchill.*)

Mr. Lough 919

Question proposed—

"That it be an Instruction to the Committee to which the Bill is referred to have power to insert a provision binding the promoting Companies not to offer opposition to any future legislative proposals that may be brought forward on behalf of the Councils of the Metropolitan Boroughs for such mutual assistance or association as this Bill confers on the promoting Companies."—(*Mr. Lough.*)

Mr. Churchill 920

Question put, and agreed to.

Ordered, "That it be an Instruction to the Committee to which the Bill is referred to that they have power to insert a provision binding the promoting Companies not to offer opposition to any future legislative proposals that may be brought forward on behalf of the Councils of the Metropolitan Boroughs for such mutual assistance or association as this Bill confers on the promoting Companies."—(*Mr. Lough.*)

Whereupon MR. SPEAKER, pursuant to the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at eight minutes before Twelve o'clock.

HOUSE OF LORDS: TUESDAY, 3RD NOVEMBER, 1908.

EARL OF ROSSE.—Ordered, That the Report of the Lord Chancellor of the United Kingdom made to the House of Lords on Monday last, that the right of the Earl of Rosse to vote at the election of Representative Peers for Ireland has been established to his satisfaction, be sent to the Clerk of the Crown in Ireland, together with a certificate stating that such Report has been made, and that the House has ordered it to be sent to the said Clerk of the Crown in Ireland. 921

PRIVATE BILL BUSINESS.

Local Government Provisional Order (No. 3) Bill.—Moved, That the order made on the 25th day of March last, "That no Provisional Order Confirmation Bill brought from the House of Commons shall be read a second time after the 18th day of June next," be dispensed with, and that the Bill be now read 2ª; agreed to; Bill read 2ª accordingly, and committed. The Committee to be proposed by the Committee of Selection. 921

Kirkcaldy and Dysart Water Order Confirmation Bill [H.L.].—Read 3ª (according to order), and passed, and sent to the Commons.

RETURNS, REPORTS, ETC.

Trade Reports (Annual Series).—No. 4159, China; No. 4160, China.
Presented, and ordered to lie on the Table. 921

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BOVINE TUBERCULOSIS—QUESTION OF COMPENSATION.

The Earl of Onslow 921
Lord Allendale 924
Lord Ribblesdale 926
The President of the Board of Agriculture and Fisheries (Earl Carrington) 929

MARINE INSURANCE.

Lord Muskerry 931
Lord Ellenborough 936
Lord Hamilton of Dalzell 938

House adjourned at half-past Five o clock, till To-morrow a quarter past Four o'clock.

HOUSE OF COMMONS: TUESDAY, 3RD NOVEMBER, 1908.

The House met at a quarter before Three of the Clock.

PETITIONS.

Enfranchisement of Women.—Petition for legislation; to lie upon the Table 939

Licensing Bill.—Two Petitions against; to lie upon the Table 940

RETURNS, REPORTS, ETC.

University of London Act, 1898.—Paper to be printed. [No. 313.] ... 940

Merchant Shipping Acts, 1894 to 1906 (Vessels Detained).—Return of all Ships ordered by the Board of Trade or its Officers, during the period from 1st July, 1907, to 30th June, 1908, to be provisionally detained as unsafe, together with Summaries, etc.; to lie upon the Table 940

London Traffic Report.—Report of the London Traffic Branch of the Board of Trade; to lie upon the Table 940

Liverpool and Hong Kong Mail Service.—Contract, dated the 12th day of October, 1908, between His Majesty's Postmaster-General and the Canadian Pacific Railway Company for the conveyance of Mails between Liverpool and Hong Kong, together with a copy of the Treasury Minute ... 940

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Government Amendments to the Licensing Bill 999

SELECTION (STANDING COMMITTEES).—Sir WILLIAM BRAMPTON GURDON reported from the Committee of Selection.

Reports to lie upon the Table 1000

Licensing Bill.—Considered in Committee.

(In the Committee.)

[Mr. EMMOTT (Oldham) in the Chair.]

Clause 21:

Mr. James Hope (*Sheffield, Central*) 1001

Amendment proposed—

"In page 14, line 13, after the word 'shall,' to insert the words 'save as hereinafter provided.'"—(*Mr. James Hope.*)

Question proposed, "That those words be there inserted."

The Solicitor-General (*Sir S. Evans, Glamorganshire, Mid.*) 1005
Mr. A. J. Balfour (*City of London*) 1006
Mr. Cave (*Surrey, Kingston*) 1007
Mr. Gretton (*Rutland*) 1007
Sir S. Evans 1008
Mr. Austen Chamberlain (*Worcestershire, E.*) 1008
Mr. Younger (*Ayr Burghs*) 1009
Mr. Wyndham (*Dover*) 1010
Sir S. Evans 1011
Mr. Lyttelton (*St. George's, Hanover Square*) 1012
Mr. G. D. Faber (*York*) 1012
Mr. Mitchell-Thomson (*Lanarkshire, N.W.*) 1013
Mr. James Hope 1013

Question put.

The Committee divided:—Ayes, 93; Noes, 238. (Division List No. 318.)

Amendment proposed—

"In page 14, line 14, after the word 'but,' to insert the words 'a justices' licence shall not be required for the grant of an excise licence to a wine dealer to enable him to sell wine by wholesale only, and.'" —(*The Solicitor-General.*)

Question proposed, "That those words be there inserted."

Mr. James Hope 1017
Sir S. Evans 1017
Mr. Younger 1018
Mr. Wyndham 1019
Sir S. Evans 1020
Mr. Younger 1020
Mr. Cave 1021

Amendment agreed to.

Mr. W. R. Rea (*Scarborough*) 1021

Amendment proposed—

"In page 14, lines 15 and 16, to leave out the words 'at the commencement of this Act,' and to insert the words 'on the fifth day of April, nineteen hundred and eight.'"—(*Mr. W. R. Rea.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

Sir S. Evans 1022
Mr. Mitchell-Thomson 1022
Mr. Sherwell (Huddersfield) 1023
Mr. Leif Jones (Westmoreland, Appleby) 1023
Mr. Gretton 1023
Mr. Lyttelton 1024
Sir S. Evans 1025
Mr. James Hope 1025

Amendment negatived.

Mr. Mitchell-Thomson 1025

Amendment proposed—

"In page 14, line 16, after the word 'Act,' to insert the words 'whether by himself or his successors.'"—(*Mr. Mitchell-Thomson.*)

Question proposed, "That those words be there inserted."

Sir S. Evans 1026

Amendment, by leave, withdrawn.

Question proposed, "That the clause, as amended, stand part of the Bill."

Viscount Helmsley (Yorkshire, N.R., Thirsk) 1026
Mr. G. D. Faber 1027
Mr. Lane-Fox (Yorkshire, W.R., Barkston Ash) 1028
Mr. Wyndham 1028
Viscount Helmsley 1029
Sir S. Evans 1029
Mr. Rawlinson (Cambridge University) 1030
Mr. Younger 1031

Question put.

The Committee divided :—Ayes, 255 ; Noes, 110. (Division List No. 319.)

Clause 22 :

Motion made, and Question proposed, "That the clause stand part of the Bill."

Mr. Cave 1035
Mr. Barnard (Kidderminster) 1036
Sir S. Evans 1037
Sir Edward Sassoon (Hythe) 1040
Mr. Stuart Wortley (Sheffield, Hallam) 1041
Mr. Clavell Salter (Hants, Basingstoke) 1042
Mr. Wyndham 1044
Sir George White (Norfolk, N.W.) 1044
Lord R. Cecil (Marylebone, E.) 1045
Mr. Maclean (Bath) 1048
Mr. Samuel Roberts (Sheffield, Ecclesall) 1049
Mr. Lane-Fox (Yorkshire, W.R., Barkston Ash) 1050
Mr. Toulmin Bury, Lancashire) 1050
Mr. C. Duncan (Barrow-in-Furness) 1051
Mr. Lyttelton 1052
The Prime Minister and First Lord of the Treasury (Mr. Asquith, Fifeshire, E.) 1053
Mr. Bonar Law (Camberwell, Dulwich) 1054

Mr. Sherwell 1055
Mr. Stuart Wortley 1056
Mr. Charles Roberts (Lincoln) 1056
Mr. Richardson (Nottingham, S.) 1057
Mr. Cave 1058
Mr. R. Pearce (Staffordshire, Leek) 1058

Question put.

The Committee divided :—Ayes, 257 ; Noes, 103. (Division List No. 320.)
Clause 23 :

Mr. Younger 1061

Amendment proposed—

"In page 14, line 25, to leave out the word 'alone' and to insert the words 'or of any liquor containing less than 5 per cent. of proof spirit.'"—(*Mr. Younger.*)

Question proposed, "That the word 'alone' stand part of the clause."

Sir S. Evans 1063
Mr. Courthope (Sussex, Rye) 1063
Mr. Lupton (Lincolnshire, Sleaford) 1064
Mr. Lambton 1065
Mr. Asquith 1065
Mr. James Hope 1066

Question put and agreed to.

Clause 24 :

Sir S. Evans 1067

Amendment proposed—

"In page 14, line 28, to leave out the words 'except in the case of a licence granted for a term.'"—(*Sir S. Evans.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

Mr. Asquith 1068
Sir E. Carson 1073
Mr. Barnard 1078
The Under-Secretary of State for the Home Department (Mr. Herbert Samuel, Yorkshire, Cleveland) 1079
Mr. Younger 1081
Mr. Lupton... 1083
Mr. Samuel Roberts 1089
Sir S. Evans 1090
Sir F. Banbury 1901
Mr. Clavell Salter 1093
Sir S. Evans 1095
Mr. Wyndham 1095
Mr. Cave 1095
Mr. J. M. Henderson (Aberdeenshire, W.) 1098
Sir E. Carson 1100
Mr. Cave 1103
Mr. A. J. Balfour 1103
Mr. Asquith 1104

Question put.

The Committee divided :—Ayes, 126 ; Noes, 318. (Division List No. 321.)

And, it being after half-past Ten of the Clock, the CHAIRMAN proceeded, in pursuance of the Order of the House of 17th July, successively to put forthwith the Question on the Amendments moved by the Government, of which notice had been given, and the Questions necessary to dispose of the Business to be concluded this day.

Amendments proposed—

"In page 14, line 30, to leave out the words 'for any year.'"

"In page 14, line 30, after the word 'value,' to insert the words 'shall in every case of a new licence granted after the passing of this Act be determined by the Commissioners of Inland Revenue, and in the case of a licence not granted for a term.'"

"In page 14, lines 31 and 32, to leave out the words 'estimated by the licensing justices,' and to insert the words 'ascertained in accordance with this section, and, in the case of a licence granted for a term, shall be based on the monopoly value as so ascertained. The monopoly value shall be taken to be the sum by which, in the opinion of the Commissioners of Inland Revenue, the value of the premises, as adopted or estimated for the purpose of income-tax under Schedule A, when licensed, and without taking into consideration any provisions for securing to the public the monopoly value, exceeds the value of the premises for that purpose when not licensed. Provided that in ascertaining the monopoly value of hotels or other premises where the value of the premises does not mainly arise from the sale of intoxicating liquor, any value of the premises other than that arising from the sale of intoxicating liquor shall be excluded from consideration.'"

"In page 14, line 31, to leave out the second word 'the,' and to insert the word 'a.'"

"In page 14, line 32, at end, to insert the words '(2) If a licence, granted before the passing of this Act as a new licence under Section 4 of the Licensing Act, 1904, but not as a licence for a term, is extinguished at any time during the reduction period, and the holder of the licence proves to the satisfaction of the Commissioner of Inland Revenue that the amount required to be paid in any year on account of monopoly value has exceeded the monopoly value for a year, and that the licence has not been extinguished on the ground of misconduct, the Commissioners shall allow the repayment of such portion, if any, of the sum paid on account of monopoly value as they think just, having regard to the time which has elapsed since the original grant of the licence. Any sum allowed shall be paid by the Commissioners to the holder of the licence, and shall be deducted from the next payment made out of the local taxation account to the council of the county or county borough who have had the benefit of the original payment.'"

"In page 14, line 33, to leave out the word 'on-licence,' and to insert the word 'licence.'"—*(Sir S. Evans.)*

Amendments agreed to.

Question put, "That the clause, as amended, stand part of the Bill."

The Committee divided:—Ayes, 319; Noes, 127. (Division List No. 322.)

Clauses 25 to 27 agreed to.

Clause 28:

Question put, "That the clause stand part of the Bill."

The Committee divided:—Ayes, 318; Noes, 128. (Division List No. 323.)

Clauses 29 to 33 agreed to.

Clause 34:

Question put, "That the clause stand part of the Bill."

The Committee divided :—Ayes, 317 ; Noes, 125. (Division List No. 324.)

Clause 35 :

Question put, "That the clause stand part of the Bill."

The Committee divided :—Ayes, 311 ; Noes, 120. (Division List No. 325.)

Committee report progress ; to sit again To-morrow.

Whereupon Mr. DEPUTY-SPEAKER, pursuant to the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at half after Eleven o'clock.

HOUSE OF LORDS: WEDNESDAY, 4TH NOVEMBER, 1908.

REPRESENTATIVE PEER FOR IRELAND.—Writs and Returns showing that Frederick Oliver Baron Ashtown, and Arthur Kenlis Baron Farnham, had received an equal number of votes in the recent election of a Representative Peer for Ireland in the room of the late Earl of Rosse, deceased, with the Certificate of the Clerk of the Crown in Ireland annexed thereto; delivered (on oath), and Certificate read.

The Lord Chancellor (*Lord Loreburn*) 1129

Then in pursuance of the provisions of 39 and 40 Geo. III. c. 67, the names of the said Peers were written on pieces of paper of a similar form and put into a glass by the Clerk of the Parliaments, and the name of the Lord Ashtown having been first drawn out by the Clerk of the Parliaments, he was declared to be duly elected.

PETITION.

Children Bill.—Petition for amendment of; read, and ordered to lie on the Table 1129

RETURNS, REPORTS, ETC.

Merchant Shipping Acts, 1894 to 1906.—Return of all British and Foreign ships ordered by the Board of Trade, or its officers, during the period from 1st July, 1907, to 30th June, 1908, to be provisionally detained as unsafe 1129

London Traffic.—Report of the London Traffic Branch of the Board of Trade 1130

Checking of Piece-work Wages in Dock Labour (Departmental Committee).—Report of the Departmental Committee on the checking of piece-work wages in dock labour; Report and Minutes of Evidence. Presented and ordered to lie on the Table 1130

Children Bill.—Order of the day for the House to be put into Committee, read.

Moved "That the House do now resolve itself into Committee."—(*Earl Beauchamp.*)

On Question, Motion agreed to.

House in Committee accordingly.

[The Earl of ONSLOW in the Chair.]

Clause 1 :

Lord Leigh 1130

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Amendment Moved—

"In page 1, line 11, to leave out from the word 'authority' to the end of subsection (1.)'"—(*Lord Leigh.*)

The Lord Steward (*Earl Beauchamp*) 1130

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 2:

Drafting Amendments, agreed to.

Lord Leigh 1131

Amendment moved—

"In page 3, lines 33 to 37, to leave out subsection (4)."—(*Lord Leigh.*)

Earl Beauchamp 1131

Amendment, by leave, withdrawn.

Lord Alverstone 1132

Amendment moved—

"In page 4, line 12, after the word 'obstructs' to insert the words 'or causes or procures to obstructed.'"—(*Lord Alverstone.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clause 3:

Drafting Amendments agreed to.

Earl Beauchamp 1133

Amendment moved—

"In page 4, lines 25 to 27, to leave out paragraph (*d*)."—(*Earl Beauchamp.*)

Lord Alverstone 1133

On Question, Amendment agreed to.

Lord Alverstone 1133

Amendment moved—

"In page 4, line 28, after the word 'keeping,' to insert the words 'or causing to be kept.'"—(*Lord Alverstone.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clause 4 agreed to.

Clause 5:

Verbal and consequential Amendments agreed to.

Clause, as amended, agreed to.

Clause 6 agreed to.

Clause 7:

Lord Alverstone 1134

Amendment moved—

"In page 6, line 4, after the word 'to,' to insert the words 'or on behalf of or for the benefit of,' and after the word 'person' to insert the words 'as aforesaid.'"—(*Lord Alverstone.*)

Earl Beauchamp 1134

Page

Amendment, by leave withdrawn.

Amendment moved—

"In page 6, line 4, to leave out the words 'to such a person,' and to insert the words 'to or for the benefit of such a person as aforesaid or to any person on his behalf,'"—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Verbal Amendment agreed to.

Clause, as amended, agreed to.

Clause 8 :

Lord Alverstone 1135

Amendment moved—

"In page 6, line 9, after the word 'false,' to insert the words 'or misleading.'"—(*Lord Alverstone.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clause 9 agreed to.

Clause 10 :

Lord Cheylesmore 1135

Amendment moved—

In page 6, line 33, to leave out the words 'County Council,' and to insert the words 'metropolitan borough councils.'"—(*Lord Cheylesmore.*)

Earl Beauchamp 1136
Viscount Midleton 1137
Lord Stanley of Alderley 1138
The Marquess of Lansdowne 1138
The Chancellor of the Duchy (*Lord Fitzmaurice*) 1138
Viscount Midleton 1139

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 11 :

The Earl of Donoughmore 1139

Amendment moved—

"In page 7, line 13, after the word 'purposes,' to insert the words 'or to any religious or charitable society which shall pay any person for keeping an infant, or to the person so employed, provided that such society shall have obtained from the Local Government Board a certificate that it is a fit and proper institution to be exempted from the provisions of this part of this Act.'"—(*The Earl of Donoughmore.*)

Earl Beauchamp 1140

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 12 :

Lord Leigh... 1139

Amendment moved—

"In page 7, line 25, to leave out the words 'wilfully,' 'ill-treats,' and 'or,' and after the word 'exposes' to insert the words 'or wilfully ill-treats.'"—(*Lord Leigh.*)

Earl Beauchamp 1141

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Amendment, by leave withdrawn.

Drafting Amendment agreed to.

Earl Beauchamp 1141

Amendment moved—

"In page 8, lines 14 and 15, to leave out the words 'to the child or young person,' and to insert the words 'or the likelihood of such suffering or injury to health."—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clause 13 agreed to.

Clause 14:

Lord Alverstone 1142

Amendment moved—

"In page 9, line 36, to leave out the word 'be,' and to insert the words 'remain alone.'"—(*Lord Alverstone.*)

Earl Beauchamp 1142
Lord Alverstone 1143

Amendment, by leave withdrawn.

Clause agreed to.

Clause 15 agreed to.

Clause 16:

Verbal Amendment agreed to.

Clause, as amended, agreed to.

Clause 17:

Lord Alverstone 1143

Amendment moved—

"In page 10, line 29, to leave out the word 'encourages.'"—(*Lord Alverstone.*)

Earl Beauchamp 1144
The Earl of Halsbury 1145
The Lord Privy Seal and Secretary of State for the Colonies (The Earl of Crewe 1146
Lord Alverstone 1146

On Question, Amendment agreed to.

Amendment moved—

"In page 10, line 30, to leave out the word 'favours,' and to insert the word 'encourages.'"—(*Lord Alverstone.*)

On Question, Amendment agreed to.

Amendment moved—

"In page 10, line 34, to leave out the word 'favoured,' and to insert the words, 'caused or encouraged.'"—(*Lord Alverstone.*)

On Question, Amendment agreed to.

Amendment moved—

"In page 10, line 35, to leave out the words 'conduced thereto by,' and to leave out the word 'allowing,' and to insert the word 'allowed.'"—*Lord Alverstone.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clause 18 agreed to.
Clause 19 :
Lord Kinnaird 1147
Amendment moved—
"In page 11, line 10, to leave out the word 'may,' and to insert the word 'shall.'"—(*Lord Kinnaird.*)
Earl Beauchamp 1147
Lord Alverstone 1148
Amendment, by leave, withdrawn.
Clause agreed to.
Clause 20 :
Drafting Amendment agreed to.
Clause, as amended, agreed to.
Clause 21 :
Amendment moved—
"In page 18, line 22, to leave out the words 'two justices,' and to insert the words 'a justice.'"—(*Earl Beauchamp.*)
On Question, Amendment agreed to.
Clause, as amended, agreed to.
Clauses 27 to 32 agreed to.
Clause 33 :
Earl Beauchamp 1152
Amendment moved—
"In page 22, lines 3 and 4, to leave out the words 'and that person did not plead guilty or admit the truth of the information.'"—(*Earl Beauchamp.*)
On Question, Amendment agreed to.
Clause, as amended, agreed to.
Clause 34 :
Earl Beauchamp 1153
Amendment moved—
"To leave out Clause 34."—(*Earl Beauchamp.*)
On Question, Amendment agreed to.
Clauses 35 to 40 agreed to.
Clause 41 :
The Earl of Camperdown 1153
Amendment moved—
"In page 23, line 30, to leave out the words 'or other person having the powers of a constable and.'"—(*The Earl of Camperdown.*)
On Question, Amendment agreed to.
Viscount Hill 1154
Lord Balfour of Burleigh 1148
Clause agreed to.
Clauses 22 to 24 agreed to.
Clause 25 :
The Earl of Meath 1149

Amendment moved—

"In page 17, line 20, to leave out from the word 'by' to the end of the subsection, and to insert the words 'an inspector or assistant inspector of reformatory or industrial schools, or by any person or persons experienced in the training of children, or belonging to the medical or nursing professions appointed by the Secretary of State for the purpose.' "—(*The Earl of Meath*)

Earl Beauchamp 1150
The Marquess of Lansdowne 1150
Earl Beauchamp 1151
The Earl of Halsbury 1151

Amendment by leave withdrawn.

Amendment moved—

"In page 17, line 21, to leave out from the word 'purpose,' to the end of the subsection.' "—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clause 26 :

Drafting Amendment agreed to.

Amendment moved-

"In page 23, line 32, to leave out the word 'person,' and to insert the word 'boys.' "—(*Viscount Hill.*)

Earl Beauchamp 1154

Amendment, by leave, withdrawn.

Consequential Amendment agreed to.

Viscount Hill 1154
Earl Beauchamp 1154

Amendment moved—

"In page 24, line 2, to omit the word 'person,' and to insert the word 'girl.' "—(*Earl Beauchamp.*)

Lord Alverstone 1155
Earl Beauchamp 1155

On Question, Amendment agreed to.

Consequential Amendment agreed to.

Clause, as amended, agreed to.

Clause 42 agreed to.

Clause 43 :

The Earl of Camperdown 1155

Amendment moved—

"In page 24, line 25, to leave out the words 'or was a uniformed boy messenger in the employment of a messenger company and employed as such at the time."—(*The Earl of Camperdown.*)

Earl Beauchamp 1156
The Earl of Camperdown 1156
Earl Russell 1156

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 44 :

The Earl of Camperdown 1157

Amendment moved—

"In page 24, line 30, after the word 'or,' to insert the word 'in,' and after the word 'material' to insert the words 'in such form as to be capable of immediate use of smoking.'"—(*The Earl of Camperdown.*)

Clause, as amended, agreed to.

Clause 45:

Earl Beauchamp 1157

Amendment moved—

"In page 25, line 25, after the word 'period,' to insert the words 'and when used in reference to proceedings for the purpose of enforcing an attendance order includes any person who, by virtue of any enactment is deemed to be a child for the purposes of the Education Acts, 1870 to 1907.'"—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clauses 46 to 56 agreed to.

Clause 57:

Lord Leigh 1158

Amendment moved—

"In page 28, line 20, to leave out the word 'may,' and to insert the word 'shall,' and in line 26, after the word 'offices,' to insert the words 'and for this purpose the provisions of the Poor Law Officers' Superannuation Act, 1896, shall be applied with such adaptations as may be made by Order in Council.'"—(*Lord Leigh.*)

Earl Beauchamp 1158

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 58:

Lord Kinnaird 1159

Amendment moved—

"In page 29, line 3, to leave out from the word 'offender' to the end of line 10, and to insert the words 'apparently over twelve years of age, but under eighteen years of age he is charged before a Court with an offence punishable with penal servitude or imprisonment, the Court, if satisfied on inquiry that it is expedient so to deal with the youthful offender, may order him to be sent to a certified reformatory school.'"—(*Lord Kinnaird.*)

Earl Beauchamp 1159
Lord Alverstone 1159

Amendment, by leave, withdrawn.

Lord Leigh 1160

Amendment moved—

"In page 29, line 5, to leave out the word 'less,' and to insert the words 'not more.'"—*Lord Leigh.*

Earl Beauchamp 1160

Amendment, by leave, withdrawn.

Viscount Hill 1160

Amendment moved—

"In page 29, line 5, to leave out the word convicted,' and to insert the word 'adjudged.'"—(*Viscount Hill.*)

Amendment, by leave, withdrawn.

Earl Beauchamp 1161

Amendment moved—

"In page 29, line 20, to leave out the words 'commute the order to such sentence of imprisonment,' and to insert the words 'in lieu of the detention order make such order or pass such sentence.'"—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Consequential Amendment agreed to.

Clause, as amended, agreed to.

Clause 59 :

Earl Russell 1161
Lord Kinnaird 1161

Amendment moved—

"In page 30, lines 10 and 11, to leave out the words 'other than the mother of the child.'"—(*Lord Kinnaird.*)

Earl Beauchamp 1162
The Earl of Meath 1162
Lord Clifford of Chudleigh... 1162
Lord Alverstone 1162
Lord Stanley of Alderley 1163

Amendment, by leave, withdrawn.

Viscount Hill 1163

Amendment moved—

"In page 30, line 21, to leave out the word 'twelve,' and to insert the word 'fourteen.'"—(*Viscount Hill.*)

Earl Beauchamp 1164
The Earl of Meath 1164

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 60 :

Earl Beauchamp 1164

Amendment moved—

"In page 32, line 19, to leave out the words 'young person,' and to insert the words 'person apparently of the age of fourteen or fifteen years.'"—(*Earl Beauchamp.*)

Lord Belhaven and Stenton... 1164

On Question, Amendment agreed to.

Clause, as amended, agreed to.

The Earl of Lytton 1165

Amendment moved—

"After Clause 60 to insert the following new clause: 'Where under the provisions of this part of this Act an order is made for the committal of a child or young person to the care of a relative or other fit person named by the Court, in any case where such child or young person has been charged with an offence before the Court making the order, such child or young person may be placed under the supervision of a probation officer in like manner as if he had been charged with an offence and dealt with under the Probation of Offenders Act, 1907.'"—(*The Earl of Lytton.*)

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Earl Beauchamp 1165

On Question, Amendment agreed to.

Clause 61:

Verbal Amendment agreed to.

Clause, as amended, agreed to.

Clause 62:

Earl Beauchamp 1166

Amendment moved—

"In page 33, line 2, after the word 'shall,' to insert the words 'subject to the provisions of this Act with respect to the determination of the place of residence of a youthful offender or child.'"—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clauses 63 and 64 agreed to.

Clause 65:

Lord Kinnaird 1166

Amendment moved—

"In page 34, line 7, to leave out the word 'nineteen,' and to insert the words 'twenty-one.'"—(*Lord Kinnaird.*)

Earl Beauchamp 1166

Amendment, by leave, withdrawn.

Clause agreed to.

Clauses 66 and 67 agreed to.

Clause 68:

The Earl of Camperdown 1167

Amendment moved—

"In page 36, line 31, after the word 'remain,' to insert the words 'for two years or.'"—(*The Earl of Camperdown.*)

Amendment, by leave, withdrawn.

Clause agreed to.

Clauses 69 to 73 agreed to.

Clause 74:

The Earl of Donoughmore 1167

Amendment moved—

"In page 41, lines 6 to 17, to leave out subsections (1) and (2)."—(*The Earl of Donoughmore.*)

Earl Beauchamp 1168
Lord Belper 1168
Lord Stanley of Alderley 1169

Amendment, by leave, withdrawn.

Drafting Amendment agreed to

Lord Leigh 1169

Amendment moved—

"In page 43, lines 10 to 14, to leave out subsection (9).'"—(*Lord Leigh.*)

Earl Beauchamp 1170

Amendment, by leave, withdrawn.

Earl Beauchamp 1170

Amendment moved—

"In page 45, line 18, after the word 'Act,' to insert the following new subsection: '(18) As respects the City of London the Common Council shall, notwithstanding anything in this section, be the local authority liable for providing for the reception and maintenance in a certified reformatory school of a youthful offender committed by a court of summary jurisdiction acting in and for the city. Provided that nothing in this provision shall exempt the City of London from contributing towards the expenses incurred by the London County Council in respect of reformatory schools, but the London County Council shall in each year repay to the Common Council for each youthful offender maintained by that council a sum equal to the average cost to the London County Council in that year of the maintenance of a youthful offender in a reformatory school for whose maintenance the London County Council are responsible, which cost shall be ascertained in accordance with the directions of the Secretary of State.'"—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clause 75:

Verbal Amendment agreed to.

Clause, as amended, agreed to.

Clause 76:

Drafting Amendment agreed to.

Clause, as amended, agreed to.

Clauses 77 to 81 agreed to.

Clause 82:

Earl Beauchamp 1171

Amendment moved—

"In page 50, line 2, to leave out from the word 'pay' to the end of the clause."—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clauses 83 to 86 agreed to.

Clause 87:

Verbal Amendment agree to.

Clause, as amended, agreed to.

Clauses 88 and 89 agreed to.

Clause 90:

Drafting Amendments agreed to.

Clause, as amended, agreed to.

Clause 91:

Earl Beauchamp 1171

Amendment moved—

"In page 53, line 10, to leave out from the word 'passed' to the end of the clause."—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.
Clause 92:
Drafting Amendment agreed to.
Clause, as amended, agreed to.
Clauses 93 to 96 agreed to.
Clause 97:
Drafting Amendment agreed to.
Clause, as amended, agreed to.
Clauses 98 and 99 agreed to.
Clause 100:
Lord Kinnaird 1172
Amendment moved—
"In page 58, line 6, after the word 'felony,' to insert the words 'except as provided in Clause 59, subsection (3).'"—(*Lord Kinnaird.*)
Earl Beauchamp 1173
Amendment, by leave, withdrawn.
Clause agreed to.
Clauses 101 to 107 agreed to.
Clause 108:
Drafting Amendments agreed to.
Clause, as amended, agreed to.
Clause 109:
Drafting Amendments agreed to.
Clause, as amended, agreed to.
Clause 110:
Drafting Amendment agreed to.
Clause, as amended, agreed to.
Clause 111:
Earl Beauchamp 1173
Amendment moved—
"In page 63, line 33, after the word 'order,' to insert the words 'and where such an order is made the London County Council shall, if so required by the Secretary of State, provide the necessary accommodation for the purpose at any place of detention provided by the council upon such terms as to payment and otherwise as may be agreed between the Secretary of State and the Council, or in default of agreement, as may be settled by the Treasury."—(*Earl Beauchamp.*)
On Question, Amendment agreed to.
Clause, as amended, agreed to.
Clause 112:
Earl Beauchamp 1174
Amendment moved—
"To Leave out Clause 1, 12."—(*Earl Beauchamp.*)
On Question, Amendment agreed to.
Clause 113 agreed to.
Clause 114:

Amendment moved—

"In page 64, line 14, to leave out the word 'January,' and to insert the word 'April.'"—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clause 115 agreed to.

Amendment moved—

"After Clause 116, to insert the following new clause, 'No child (other than an infant in arms) shall be permitted to be present in Court during the trial of any person charged with an offence, or during any proceedings preliminary thereto, and if so present he shall be ordered to be removed, unless he is the person charged with the alleged offence, or during such time as his presence is required as a witness, or otherwise for the purposes of justice. Provided that this section shall not apply to messengers, clerks, and other persons required to attend at any Court for purposes connected with their employment.'"—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clauses 116 and 117 agreed to.

Clause 118:

Drafting Amendments agreed to.

The Earl of Donoughmore 1175

Amendment moved—

"In page 65, lines 20 to 26, to leave out subsection (2)."—*The Earl of Donoughmore.*)

Earl Beauchamp 1175
Lord Farrer 1176
Lord Clifford of Chudliegh 1176

Amendment, by leave, withdrawn.

Clause, as amended, agreed to.

Clause 119 agreed to.

The Earl of Carlisle 1176

Amendment moved—

"After Clause 119, to insert the following new clause: (1) The holder of the licence of any licensed premises shall not allow a child to be at any time in the bar of the licensed premises except during the hours of closing. (2) If the holder of a licence acts in contravention of this section, or if any person causes or procures, or attempts to cause or procure any child to go to or be in the bar of any licensed premises, except during the hours of closing, he shall be liable on summary conviction, to a fine not exceeding, in respect of the first offence forty shillings, and in respect of any subsequent offence five pounds. (3) If a child is found at the bar of any licensed premises except during the hours of closing, the holder of the licence shall be deemed to have committed an offence against this section unless he shows he has used due diligence to prevent the child being admitted to the bar. (4) Where any person is charged with an offence under this section in respect of a child who is alleged in the charge to be under the age of fourteen, and the child appears to the Court to be under that age, the child shall be deemed to be under that age unless the contrary is shown (5) Nothing in this section shall apply in the case of a child who is resident but not employed in the licensed premises or in the case of premises constructed, fitted, and intended to be used in good faith for any purpose to which the holding of a licence is merely auxiliary. (6) The bar of licensed premises means any open drinking bar or any part of the premises exclusively or mainly used for the sale and consumption of intoxicating liquor.' "—(*The Earl of Carlisle.*)

Earl Beauchamp 1177

Amendment, by leave withdrawn.

Clause 120 agreed to.

Clause 121 agreed to.

The Lord Chancellor 1178

Amendment moved—

"After Clause 121, to insert the following new clause: 'Where a woman is convicted of the murder of her infant, and that child was under the age of one year, the Court may, in lieu of passing a sentence of death, sentence her to penal servitude for life or any less punishment.' "—(*The Lord Chancellor.*)

Lord Alverstone 1178
The Lord Chancellor 1179
The Marquess of Lansdowne 1180

Amendment, by leave, withdrawn.

Clause 128.

Lord Alverstone 1181

Amendment moved—

"In page 70, line 19, after the word, 'thereto,' to insert the words 'Provided that notwithstanding anything contained in section ten and eleven of the Summary Jurisdiction Act, 1879, the justices shall have jurisdiction to deal with any charge against a child or young person without his consent or the consent of the parent or guardian of the person so charged.' "—(*Lord Alverstone.*)

Earl Beauchamp 1181
Lord Alverstone 1182

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 129 agreed to.

Clause 130.

Amendment moved—

"In page 71, line 4, after the word 'person' to insert the words 'The expression "Common Council" means the mayor, aldermen, and commons of the City of London in common council assembled.' "—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause as amended, agreed to.

Clause 131:

Earl Beauchamp 1182

Amendment moved—

"In page 71, line 40, to leave out from the word 'shall' to the end of line 41, and to insert the words 'for the purposes of Part I. of this Act have the same powers of making inquiries, calling for Returns and applying to the Court of Session as they have for the purposes of the Poor Law (Scotland) Act, 1845.' "—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Amendment moved—

> "In page 76, line 34, after the word '1890,' to insert the words 'Provided that, in the case of a Royal parliamentary or police burgh, the expression "police authority," where occurring in Section 59 and in Section 120 of this Act, means the town council; and provided further, that where in any such burgh expenses chargeable to the police fund or as part of the current expenses of a police authority would, under the existing law, be payable out of the burgh general assessment, expenses so chargeable under the provisions of this Act shall be defrayed as expenses incurred by a town council under Section seventy-four of this Act.' "—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Drafting Amendments agreed to.

Amendment moved—

> "In page 77, after subsection (24), to insert the following new subsection: '(25) Subject to the provisions hereinafter contained, nothing in this Act shall be construed to repeal, alter, prejudice, or affect any of the provisions of the Glasgow Juvenile Delinquency Prevention and Repression Acts, 1878 and 1896 (hereinafter referred to as the Glasgow Acts), and the Commissioners and directors acting under the Glasgow Acts shall continue to have the full rights, privileges, and powers at present competent to them. Provided, nevertheless, that the Secretary for Scotland may, by order under his hand, provide for altering, amending, or adapting the Glasgow Acts so as to provide: (*a*) For the retiral of the existing directors, for the reconstitution of the board of directors, for the election of new directors, for subsequent elections of directors, for the annual retiral of one-third of the directors and for supplying vacancies arising from time to time; (*b*) for the assessments authorised to be levied under the Glasgow Acts being levied in the same manner as assessments for the expenses of a town council for the purposes of Section seventy-four of this Act instead of as in the Glasgow Acts provided, and for the reduction of the maximum amount thereof, if thought proper, and for the application of the said assessments; (*c*) for authorising the said directors to grant securities over all lands and heritages vested in them, including school houses; (*d*) for raising the age up to which, under the Glasgow Act, a child may, on the request of the school board, if the Court think it expedient, be sent to a certified day industrial school from thirteen years to fourteen years, and for providing that any order for payment of contributions by a parent under the Glasgow Acts shall be enforceable as a decree for aliment; and (*e*) for otherwise altering, amending, or adapting the provisions of the Glasgow Acts, as may seem to him necessary to make those provisions conform with the provisions of this Act, or to enable the powers under the Glasgow Acts to be exercised as if they were powers under this Act. Any such order may be revoked and varied by a subsequent order.' "—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clause 132:

The Earl of Meath... 1184

Amendment moved—

> "In page 78, line 31, to leave out the word 'thirteen' and to insert the word 'fourteen' "—(*The Earl of Meath.*)

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Earl Beauchamp 1184
Lord Atkinson 1184
The Earl of Donoughmore 1184

On Question, Amendment agreed to.

Amendment moved—

> "In page 79, line 8, after subsection (16), to insert, as a new subsection, the words, 'The provisions relating to exemptions from Part 1 of this Act shall include any religious or charitable society which shall pay any person for keeping an infant, or to the person so employed, provided that such society shall have obtained from the Local Government Board a certificate that it is a fit and proper institution to be exempted from the provisions of that part of this Act.' "—(*The Earl of Donoughmore.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clause 133 :

Amendment moved—

> "In page 82, line 24, to leave out the word 'January' and to insert the word 'April.' "—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Schedules agreed to.

Standing Committee negatived; the report of Amendments to be received on Monday next, and Bill to be printed as amended. [No. 220.]

House adjourned at Eight o'clock, till To-morrow, a quarter past Four o'clock.

HOUSE OF COMMONS, WEDNESDAY, 4TH NOVEMBER, 1908.

The House met at a quarter before Three of the Clock.

PRIVATE BILL BUSINESS.

MESSAGE FROM THE LORDS.—That they have passed a Bill, intituled, Kirkcaldy and Dysart Water Order Confirmation Bill [Lords].

Kirkcaldy and Dysart Water Order Confirmation Bill [Lords.] Ordered (under Section 7 of the Private Legislation Procedure (Scotland) Act, 1899) to be considered To-morrow 1186

PETITIONS.

Children Bill.—Seven Petitions in favour; to lie upon the Table 1186

Importation of Plumage Bill.—Petition against; to lie upon the Table ... 1186

Licensing Bill.—Six Petitions for alteration; to lie upon the Table. Five Petitions in favour; to lie upon the Table 1186

Poor Law Amendment (Scotland) Bill.—Petition in favour, to lie upon the Table 1186

RETURNS, REPORTS, ETC.

Army.—Copy presented, of Statement showing the Strength of the Regular Army, Special Reserve, and Territorial Force; to lie upon the Table ... 1186

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Liverpool and Hong Kong Mail Service.—Return presented, relative thereto; to lie upon the Table and to be printed. [No. 314] 1186

Checking of Piece-work Wages in Dock Labour (Departmental Committee.—Report of the Departmental Committee on the Checking of Piece-work Wages in Dock Labour. Report, etc., Minutes of Evidence; to lie upon the Table 1186

QUESTIONS AND ANSWERS CIRCULATED WITH VOTES.

System of Promotion in Glasgow Post Office 1186
Scottish Laws regarding Pilots and Navigation 1187
Casual Assistance at the Post Office—Age Limit 1188
Ex Soldiers and Ex-Sailors and Postal Appointments 1188
Removal of Disqualifications under the Unemployed Workmen's Act—Notice to Distress Committees 1188
Injuries to Cattle in Ennis 1190
South African Garrison 1191
Commutations of Pensions of Soldiers desiring to Emigrate 1191
Maintenance of Poor Law Children outside the United Kingdom 1191
Vagrancy and Farm Colonies 1192
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Enlargement of Holdings on Drumchork Sheep Farm, Aultbea... 1193
The Sentences on Suffragists—Right of Appeal 1193
Revision of Belfast Post Office Staff 1195
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Evicted Tenants—Application of Richard Talbot... 1197
Evicted Tenants—Mr. J. F. M'Quade, of Drumhirk 1198
Armoy (County Antrim) Water Supply 1198
Infectious Diseases Prevention Act in Ireland 1199
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Tuberculosis Prevention (Ireland) Bill.—Reported, with Amendments, from Standing Committee A.

Report to lie upon the Table, and to be printed. [No. 315.]

Minutes of the Proceedings of the Standing Committee to be printed. [No. 315.]

Bill, as amended (in the Standing Committee), to be taken into consideration upon Monday next, and to be printed. [Bill 366.] 1244

Post Office Sites Bill [LORDS.]—Reported, with Amendments, from the Select Committee, with Minutes of Evidence.

Report to lie upon the Table, and to be printed. [No. 316.]

Bill, as amended, re-committed to a Committee of the Whole House for Friday, and to be printed. [Bill 367.] 1245

PUBLIC PETITIONS COMMITTEE.—Seventh Report brought up, and read; to lie upon the Table, and to be printed 1245

Licensing Bill.—Considered in Committee.
(In the Committee.)

[Mr. EMMOTT (Oldham) in the Chair.]

Clause 36:

Mr. Evelyn Cecil (Aston Manor) 1245

Amendment proposed—

"In page 18, line 3, to leave out subsection (1)."—(*Mr. Evelyn Cecil.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

Sir Francis Channing (Northamptonshire, E.) 1249
Mr. A. J. Balfour (City of London) 1251
The Under-Secretary of State for the Home Department (Mr. Herbert Samuel, Yorkshire, Cleveland) 1256
Mr. Joynson-Hicks (Manchester, N.W.) 1263
Mr. H. J. Tennant (Berwickshire) 1266
Earl Winterton (Sussex, Horsham) 1268
Mr. Hart Davies (Hackney, N.) 1271
Mr. Wyndham (Dover) 1272

The Prime Minister and First Lord of the Treasury (Mr. Asquith, Fife-shire, E) 1274
Mr. A. J. Balfour 1277

Amendment, by leave, withdrawn.

A number of Amendments on the Paper having been ruled out of order—

Mr. Evelyn Cecil 1279

Amendment proposed—

"In page 18, line 4, at end, to insert the words 'but this provision shall not apply to any club against which no charge has been substantiated on any of the grounds mentioned in Section twenty-eight of the Licensing Act, 1902, and which is managed by a committee periodically elected, to whom the secretary of the club is responsible, and which has been established for five years. Provided always that the justices shall in their discretion have power to require any such club to show cause why it should not come under the following provisions of this Act."—(*Mr. Evelyn Cecil.*)

Question proposed, "That those words be there inserted."

Mr. Herbert Samuel 1281
Sir E. Carson (Dublin University) 1283
Mr. Herbert Samuel 1285
Mr. Wyndham ... ... — 1286
The Solicitor-General (Sir S. Evans, Glamorganshire, Mid.) 1286
Mr. Seaverns (Lambeth, Brixton) 1287

Amendment negatived.

Mr. Gretton (Rutland) 1287

Amendment proposed—

"In page 18, line 4, at end, to insert the words 'except such clubs and messes as may be carried on under the King's Regulations for the naval and military forces.'"—(*Mr. Gretton.*)

Question proposed, "That those words be there inserted."

Sir S. Evans 1288
Sir. E. Carson 1289
Sir Samuel Scott (Marylebone, W.) 1289
Earl Winterton 1289
Mr. Lyttelton (St. George's, Hanover Square) 1290
Mr. Wyndham 1291
Sir S. Evans 1291
Mr. A. J. Balfour 1291
Mr. Gretton 1291
Sir E. Carson 1293
The First Lord of the Admiralty (Mr. McKenna, Monmouthshire, N.) ... 1294
Mr. Austen Chamberlain (Worcestershire, E.) 1294

Question put.

The Committee divided :—Ayes. 101 ; Noes, 257. (Division List No. 326.)

Mr. Hart-Davies 1297

Amendment proposed—

"In page 18, line 7, to leave out the words 'licensing justices,' and to insert the words 'local stipendiary magistrate or local Court of Summary Jurisdiction."—(*Mr. Hart-Davies.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

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Mr. Barnes (Glasgow, Blackfriars) ... 1300
Mr. A. J. Balfour ... 1302
Mr. Verney (Bucks, N.) ... 1303
Mr. Lambton (Durham, S.E.) ... 1305
Mr. H. J. Wilson (Yorks, W.R., Holmforth) ... 1306
Mr. Pickersgill (Bethnal Green, S.W.) ... 1306
Mr. Rufus Isaacs (Reading) ... 1307
Mr. Asquith ... 1308
Mr. Markham (Notts, Mansfield) ... 1309
Sir Henry Kimber (Wandsworth) ... 1310
Sir Francis Channing (Northamptonshire, E.) ... 1312
Mr. James Parker (Halifax) ... 1313
Mr. Charles Roberts (Lincoln) ... 1314
Sir S. Evans ... 1315

Amendment agreed to.

Mr. Herbert (Bucks, Wycombe) ... 1317

Amendment proposed—

"In page 18, line 7, after the word 'justices,' to insert the words 'and such application is accompanied by an affidavit of the secretary proving that not less than one-half of the income of the club is derived from sources other than profit upon the sale of intoxicating liquors.'"—*(Mr. Herbert.)*

Question proposed, "That those words be there inserted."

Mr. Herbert Samuel ... 1320
Earl Winterton ... 1321
Mr. William Abraham (Glamorganshire, Rhondda) ... 1322
Mr. Crossley (Cheshire, Altrincham) ... 1323
Mr. Barnard ... 1325

Amendment, by leave, withdrawn.

Mr. Nussey (Pontefract) ... 1325

Amendment proposed—

"In page 18, line 8, after the word 'application' to insert the words 'upon being furnished with the names and addresses of the members and any additions to or removals therefrom made within twenty days of the date of the application for the renewal of registration.'"—*(Mr. Nussey.)*

Question proposed, "That those words be there inserted."

Sir S. Evans ... 1327
Mr. Summerbell (Sunderland) ... 1327

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 18, line 9, to leave out the words 'licensing justices' and insert the words 'local stipendiary magistrate or local Court of Summary Jurisdiction.'"—*(Sir S. Evans.)*

Amendment agreed to.

Viscount Helmsley (Yorkshire N.R., Thirsk) ... 1328

Amendment proposed—

"In page 18, line 11, to leave out subsection (3)."—*(Viscount Helmsley).*

Question proposed, "That the subsection stand part of the clause."

Sir S. Evans ... 1329

Amendment, by leave, withdrawn.

Sir S. Evans 1329

Amendment proposed—

"In page 18, line 14, at end, to add the words 'unless the Court is satisfied that the application was not made owing to inadvertence.'"—(*Sir S. Evans.*)

Question proposed, "That those words be there added."

Mr. James Campbell (*Dublin University*) 1329
Sir S. Evans 1329
Mr. Simon (*Essex, Walthamstow*)... 1330
Mr. Joynson-Hicks 1330
Sir William Anson (*Oxford University*) 1330

Amendment agreed to.

Mr. Evelyn Cecil 1331

Amendment proposed—

"In page 18, line 15, to leave out subsection (1)."—(*Mr. Evelyn Cecil.*)

Question proposed, "That the words proposed to be left out to the word 'the' in line 15 stand part of the subsection."

Mr. Gretton 1331

Amendment negatived.

Amendment proposed—

"In page 18, line 15, to leave out the words 'licensing justices,' and to insert to word 'court.'"—(*Sir S. Evans.*)

Amendment agreed to.

Mr. Joynson-Hicks... 1331

Amendment proposed—

"In page 18, line 17, after the word 'purpose,' to insert the words 'accompanied by a certificate, signed by two justices having jurisdiction in the place where the premises in respect of which the application is made are situated, that to the best of their knowledge and belief the club for which application for registration is to be made, and in the case of an existing club, has been and is to be, conducted as a *bona fide* club and not mainly for the supply of intoxicating liquor.'"—(*Mr. Joynson-Hicks.*)

Question proposed, "That those words be there inserted."

Mr. Jesse Collings (*Birmingham, Bordesley*) 1332
Mr. J. W. Wilson (*Worcestershire, N.*) 1333
Mr. Lambton 1333
Mr. Rees (*Montgomery Boroughs*) 1333
Mr. Charles Roberts 1334
Sir Gilbert Parker (*Gravesend*) 1334
Mr. Markham 1335
Mr. Ramsay Macdonald (*Leicester*) 1336
Sir S. Evans 1337
Mr. Walter Long (*Dublin, S.*) 1339
Mr. W. R. Rea (*Scarborough*) 1340
Mr. Markham 1340

Question put.

The Committee divided :—Ayes, 24 ; Noes, 370. (Division List No. 327.)

And, it being half-past Ten of the Clock, the CHAIRMAN proceeded, pursuant to the Order of the House of 17th July, to put forthwith the Question necessary to dispose of the Business to be concluded this day.

Question put, "That the clause, as amended, stand part of the Bill."

The Committee divided:—Ayes, 317; Noes, 91. (Division List No. 328.)

Committee report Progress; to sit again To-morrow.

Whereupon, Mr. SPEAKER, pursuant to the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at six minutes before Eleven o'clock.

HOUSE OF LORDS: THURSDAY, 5TH NOVEMBER, 1908.

RETURNS, REPORTS, &c.

Trade Reports: Annual Series.—No. 4161. Bahrain Islands, 1907–1908. No. 4163. Russia (Budget Report for 1908) 1349

Historical Manuscripts (Royal Commission).—Report on Manuscripts in Various Collections, Vol. VI.: The Manuscripts of Miss M. Eyre Matcham, Captain H. V. Knox, Mrs. Wykeham-Martin, etc.

Presented, and ordered to lie on the Table 1349

Universities of Oxford and Cambridge Act, 1877.—Statute made by the Governing Body of Christ Church, Oxford, Statute made by the Governing Body of All Souls College, Oxford.

Laid before the House and to be printed. [No. 221] 1349

Law of Distress Amendment Bill.—Order of the Day, for the House being again put into Committee, read.

Lord Courtney of Penwith 1349

Moved, "That the House do now resolve itself into Committee."—(*Lord Courtney of Penwith*).

On Question, Motion agreed to.

House in Committee accordingly.

[The Earl of ONSLOW in the Chair.]

Clause 1:

The Earl of Halsbury 1350

Amendment moved—

"In page 1, line 6, to insert the words '(*a*) Any under tenant liable to pay by equal instalments not less often than every actual or customary quarter of a year a rent which would return in any whole year the full annual value of the premises or of such part thereof as is comprised in the under tenancy; or (*b*) any lodger; or (*c*) any other person whatsoever not being a tenant of the premises or of any part thereof, and not having any beneficial interest in any lease, underlease or tenancy of the premises or of any part thereof.' "—(*The Earl of Halsbury.*)

The Lord Chancellor (Lord Loreburn) 1351

The Earl of Halsbury 1351

On Question, Amendment agreed to.

Consequential Amendments agreed to.

Clause, as amended, agreed to.

Clause 2 :

Consequential Amendments agreed to.

Clause, as amended, agreed to.

Clause 3 :

Consequential Amendment, agreed to.

Clause, as amended, agreed to.

Clause 4 :

The Earl of Halsbury 1351

Amendment moved—

"In page 3, line 11, after the word 'thereof,' to insert the words 'nor to any live stock to which Section 29 of the Agricultural Holdings Act, 1908, applies.' "—(*The Earl of Halsbury.*)

Lord Courtney of Penwith... 1352

On Question, Amendment agreed to.

Lord Courtney of Penwith... 1352

Amendment moved—

"In page 3, line 11, after the word 'thereof' to insert the following new subsection : (2) (*a*) To goods of a partner of the immediate tenant (*b*) to goods (not being goods of a lodger) upon premises where any trade or business is carried on in which both the immediate tenant and the under tenant have an interest ; (*c*) to goods (not being goods of a lodger) on premises used as offices or warehouses where the owner of the goods neglects for one calendar month after notice (which shall be given in like manner as a notice to quit) to remove the goods and vacate the premises ; (*d*) to goods belonging to and in the offices of any company or corporation on premises, the immediate tenant whereof is a director or officer, or in the employment of such company or corporation ; (*e*) to goods of an under tenant (not being a lodger) who shall have become a tenant of premises without the consent of the superior landlord contrary to any lease or agreement under which the immediate tenant holds. Provided that it shall be competent for a stipendiary magistrate, or where there is no stipendiary magistrate, for two justices upon application by the under tenant or other person not being the immediate tenant of the superior landlord upon hearing the parties to determine whether any premises are in fact premises covered by (2) of this section.' "—(*Lord Courtney of Penwith.*)

On Question, Amendment agreeed to.

Clause, as amended, agreed to.

The Earl of Halsbury 1352

Amendment moved—

"After Clause 4, to insert the following new clause : 5. This Act shall not apply to any under tenant, not being a lodger, where the under tenancy has been created in breach of any covenant or agreement in writing between the landlord and his immediate tenant, or where the under tenancy has been created contrary to the wish of the landlord in that behalf, expressed in writing and delivered at the premises within a reasonable time after the circumstances have come, or with due diligence would have come, to his knowledge."—(*The Earl of Halsbury.*)

On Question, Amendment agreed to.

Clause 5:

Consequential Amendments agreed to.

Clause, as amended, agreed to.

Clauses 6 and 7 agreed to.

Amendment moved—

"After Clause 7, to insert the following new Clause: 8 In this Act the words 'superior landlord' shall be deemed to include a landlord in cases where the goods seized are not those of an under tenant or lodger; and the words 'other person not being the immediate tenant of such superior landlord' shall be deemed to include a person having no interest in the land.'"—(*Lord Courtney of Penwith.*)

The Lord Chancellor 1353
Lord Courtney of Penwith 1354

On Question, Amendment agreed to.

Clause 8:

Lord Atkinson 1354

Amendment moved—

"In page 3, line 27, after the word 'Scotland,' to insert the words 'or Ireland.'"—(*Lord Atkinson.*)

Lord Courtney of Penwith 1357
Lord Atkinson 1357
The Lord Chancellor 1357
The Marquess of Lansdowne 1358

Amendment, by leave, withdrawn.

Standing Committee negatived.

Bill to be printed as amended. [No. 222.]

LEGISLATION BY REFERENCE.

The Earl of Camperdown 1359
The Lord Chancellor 1360

BUSINESS OF THE HOUSE.

The Lord Privy Seal and Secretary of State for the Colonies (*The Earl of Crewe*) ... 1361

Moved, that the House do adjourn until Tuesday except for judicial business."—(*The Earl of Crewe.*)

On Question, Motion agreed to.

House adjourned at twenty-five minutes past Five o'clock to Monday next, Eleven o'clock.

HOUSE OF COMMONS, THURSDAY, 5TH NOVEMBER, 1908.

The House met at a quarter before Three of the Clock.

PRIVATE BILL BUSINESS.

Kircaldy and Dysart Water Order Confirmation Bill [LORDS].—Considered; to be read the third time upon Monday next 1361

PETITIONS.

Licensing Bill.—Two Petitions in favour; to lie upon the Table 1362

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Local Government (Scotland) Bill.—Petition in favour; to lie upon the Table 1362

Monastic and Conventual Institutions.—Petition for legislation; to lie upon the Table 1362

Poor Law Amendment (Scotland) Bill.—Petition in favour; to lie upon the Table 1362

RETURNS, REPORTS, &c.

Trade Reports (Annual Series).—Diplomatic and Consular Reports, Annual Series, Nos. 4161 and 4163; to lie upon the Table 1362

Universities of Oxford and Cambridge Act, 1877 (Oxford).—Statute made by the Governing Body of Christ Church, Oxford, to lie upon the Table, and to be printed. [No. 317.] 1362

Historical Manuscripts (Royal Commission).—Report on Manuscripts in Various Collections, Volume VI.: the Manuscripts of Miss M. Eyre-Matcham, Captain A. V. Knox, Mrs. Wykeham-Martin, etc.; to lie upon the Table 1362

Diseases of Animals Acts, 1894 to 1903.—An Order, No. 7586, dated 29th October, 1908, relating to Animals being carried on the steamship "Minnesota" to lie upon the Table 1362

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

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Application for Loan from Surbiton District Council 1363
Treatment of Imprisoned Suffragists 1363
Promotion to Postmasterships from Belfast Post Office Staff 1364
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West Ham Districts Committee 1365
Municipal Servants Holding Double Appointments 1365
Assets and Liabilities of Local Authorities 1366
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Unemployment—Work for Persons engaged during Summer Months 1368
Scottish Trawling Bill 1368
Scottish Education Department 1368
Stonehouse (Lanark) Parish Manse 1369
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German Cavalry Arms 1371
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Service Pensioners in Irish Lunatic Asylums 1374
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Prosecution of Cromarty Fishermen 1375
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Ingrave Shooting Case 1377
Licensing Compensation 1377
Soldiers in the Dock 1378
Spitalfields Market 1378
Land Club Union 1379
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Westerham Land Club 1381
Wilby Town Estates Charity 1381
Accommodation in Elementary Schools 1382
National Income and Expenditure 1383
Inland Revenue Officials 1383
Employment of Artisans and Labourers at Cork Barracks 1383
Balloon Company, Royal Engineers 1384
Service Rifles 1384
Horfield Barracks—Sub-letting of Contracts 1385
Provision of Uniforms for the Territorial Army 1385
Director of Natural History Museum 1386
Scottish Legislation—The Trawling Bill 1386

QUESTIONS IN THE HOUSE.

Dockyard Employees 1386
Silvertown Gutta Percha Works 1387
The Channel and Home Fleets 1387
Non-grog Allowance in the Navy 1389
Dartmouth Cadets' Examinations 1390
Naval Classification 1391
Meetings of Indian Loyalists 1392
Indian Political Prisoners 1392
Political Prisoners in India 1393
Political Agitation and Pensions 1393
The King's Proclamation to India 1394
Nyassaland Slave Raid 1395
Opium Permits in the Transvaal 1395
Labour Recruiting in Madagascar 1396
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Strabane and Letterkenny Railway 1421

Royal Commission on the Poor Law 1421

Agricultural Rating Act, 1904 1421

Port of London Bill 1422

Business of the House 1423

SELECTION (STANDING COMMITTEES).—Sir WILLIAM BRAMPTON GURDON reported from the Committee of Selection.

Reports to lie upon the Table ... ...

Licensing Bill.—Considered in Committee.

(In the Committee.)

[Mr. EMMOTT (Oldham) in the Chair.]

Clause 37 :

Mr. Bottomley (*Hackney, S.*) 1425

Amendment proposed—

"In page 18, line 22, to leave out subsection (1).—(*Mr. Bottomley.*)

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Question proposed, "That the word 'Any' stand part of the Clause."

The Solicitor-General (Sir S. Evans, Glamorganshire, Mid) ... 1428
Mr. Austen Chamberlain (Worcestershire, E.) ... 1429
Sir Francis Channing (Northamptonshire, E.) ... 1432
Mr. A. J. Balfour (City of London) ... 1432
Sir J. Dickson-Poynder (Wiltshire, Chippenham) ... 1433
Mr. Lambton (Durham, S.E.) ... 1434
Mr. Seaverns (Lambeth, Brixton) ... 1435
Mr. Rawlinson (Cambridge University) ... 1435
Mr. Markham (Nottinghamshire, Mansfield) ... 1437
Mr. Hunt (Shropshire, Ludlow) ... 1438
Mr. Ridsdale (Brighton) ... 1438
Mr. G. D. Faber (York) ... 1439
Mr. Rees (Montgomery Boroughs) ... 1441
Mr. Younger (Ayr Burghs) ... 1444
Earl Winterton (Sussex, Horsham) ... 1445
Sir S. Evans ... 1445
Mr. A. J. Balfour ... 1445
Viscount Morpeth (Birmingham, S.) ... 1446
Mr. Renwick (Newcastle-on-Tyne) ... 1446
Mr. H. H. Marks (Kent, Thanet) ... 1447
Mr. Cave (Surrey, Kingston) ... 1450

Question put.

The Committee divided:—Ayes, 262; Noes, 78. (Division List No. 329.)

Sir Henry Kimber (Wandsworth) ... 1453

Amendment proposed—

"In page 18, line 22, to leave out the word 'person,' and insert the words 'duly authorised police officer.'"—(*Sir Henry Kimber.*)

Question proposed, "That the word 'person' stand part of the clause."

Sir S. Evans ... 1454
Mr. Austen Chamberlain ... 1461
Mr. Clavell Salter (Hants, Basingstoke) ... 1464
Mr. Stuart Wortley (Sheffield, Hallam) ... 1467
Mr. Lambton ... 1467
Mr. Hart-Davies (Hackney, N.) ... 1468
Mr. Hunt ... 1469
Mr. Wyndham ... 1469
Mr. Arthur Henderson (Durham, Barnard Castle) ... 1470
Sir E. Carson (Dublin University) ... 1472
Sir S. Evans ... 1474
Mr. G. A. Gibbs (Bristol W.) ... 1475
Sir Henry Kimber ... 1475

Question put.

The Committee divided:—Ayes, 241; Noes, 101. (Division List No. 330.)

Mr. Bottomley ... 1479

Amendment proposed—

"In page 18, line 22, after the word 'person,' to insert the words 'resident in the district.'"—(*Mr. Bottomley.*)

Question proposed, "That those words be there inserted."

Sir S. Evans ... 1480

Question put.

The Committee divided:—Ayes, 97; Noes, 230. (Division List No. 331.)

Mr. Arthur Henderson ... 1483

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Amendment proposed—

"In page 18, line 22, after the word 'may,' to insert the words "at any time on his own personal knowledge forward to the chief constable of a county or borough such information as he considers a violation of the conditions of registration of any club, and such chief constable shall investigate the complaint and make a record of such investigation, and then, if satisfied that the same affords good ground for objection, shall.' "—(*Mr. Arthur Henderson.*)

Question proposed, "That those words be there inserted."

Sir S. Evans 1485
Lord R. Cecil (Marylebone, E.) 1486
Mr. Curran (Durham, Jarrow) 1488
Mr. Rees 1489
Mr. Pickersgill (Bethnal Green, S.W.) 1489
Mr. Clavell Salter 1489
Mr. Shackleton (Lancs., Clitheroe) 1490
Sir S. Evans 1491
Mr. Byles (Salford, N.) 1491
Mr. Joynson-Hicks (Manchester, N.W.) 1492
Mr. Stanger (Kensington, N.) 1493
Mr. Middlebrook (Leeds, S.) 1494

Question put.

The Committee divided:—Ayes, 95; Noes, 166. (Division List No. 332.)

Mr. Mitchell-Thomson (Lanarkshire, N.W.) 1497

Amendment moved—

"In page 18, lines 23 and 24, to leave out the words 'registration or the.' "—(*Mr. Mitchell-Thomson.*)

Question proposed, "That the word 'registration' stand part of the clause."

Sir S. Evans 1500

Question put.

The Committee divided:—Ayes, 212; Noes 44. (Division List No. 333.)

Amendment proposed—

"In page 18, line 25, to leave out the words 'licensing justices,' and insert the word 'Court."—(*Sir S. Evans.*)

Amendment agreed to.

Mr. Rawlinson 1503

Amendment proposed—

"In page 18, line 26, to leave out the words 'as a drinking club,' in order to insert the words, 'for the supply of excisable liquor.' "—(*Mr. Rawlinson.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

Sir S. Evans 1504
Mr. Rawlinson 1505
Mr. Mitchell-Thomson 1506

Amendment, by leave, withdrawn.

The Under-Secretary of State for the Home Department (Mr. Herbert Samuel, Yorks, Cleveland) 1506

Amendment proposed—

"In page 18, line 29, at end, to insert the words 'on the ground that the club is bound by any covenant, agreement, or undertaking, or is otherwise under an obligation to obtain a supply of any intoxicating liquor from any particular person not being a club which was so bound or under such an obligation before the passing of this Act.' "—(*Mr. Herbert Samuel.*)

Question proposed, "That those words be there inserted."

Mr. Ashley (Lancashire, Blackpool)	1509
Sir Francis Channing (Northamptonshire, E.)	1509
Mr. Ramsay Macdonald (Leicester)	1511
Lord Balcarres (Lancashire, Chorley)	1512
Mr. Maclean (Bath)	1513

Amendment to the proposed Amendment proposed—

"In line 2, to leave out the word 'or,' after the word 'agreement,' and to insert after the word 'undertaking' the words 'or understanding.' "—(*Mr. Maclean.*)

Question proposed, "That the word 'or' stand part of the proposed Amendment."

Mr. G. D. Faber	1515
Mr. W. R. Rea (Scarborough)	1515
Sir E. Carson	1516
Sir S. Evans	1517
Mr. Wyndham	1520
Mr. Herbert Samuel	1522

Amendment to proposed Amendment negatived.

And, it being about half-past Ten of the clock, the CHAIRMAN proceeded, in pursuance of the Order of the House of 17th July, to put forthwith the Question on the Amendment already proposed from the Chair.

Question put, "That those words be there inserted."

The Committee divided :—Ayes, 299 ; Noes, 88. (Division List No. 334.)

The CHAIRMAN then proceeded successively to put forthwith the Question on the Amendments moved by the Government, of which notice had been given, and the questions necessary to dispose of the business to be concluded this day.

Amendment proposed :—

"In page 18, line 31, to leave out from the word 'the,' to end of subsection, and to insert the word 'Court.' "

"In page 18, line 36, to leave out the words 'licensing justices,' and to insert the word 'Court.' "

"In page 18, line 39, to leave out the words 'licensing justices,' and to insert the word 'Court.' "—(*Sir S. Evans.*)

"In page 19, line 3, to leave out the word 'such,' and to insert the words 'a specified.' "

"In page 19, lines 3 and 4, to leave out the words 'not exceeding,' and to insert the words 'which may extend to twelve months in the case of the first order made in respect of any premises and to.' "

"In page 19, line 4, to leave out the words 'as they think fit to direct,' and to insert the words 'in the case of a second or any subsequent order made in respect of the same premises.' "—(*Mr. Herbert Samuel.*)

"In page 19, line 4, to leave out the words 'justices,' and to insert the word 'Court.' "

"In page 19 line 8, to leave out the words 'licensing justices,' and to insert the word 'Court.' "

"In page 19, line 9, to leave out the words 'the same.'"

"In page 19, line 9, to leave out from the word 'manner' to the word 'and,' in line 11, and to insert the words 'provided by the Summary Jurisdiction Acts.'"

"In page 19, line 14, to leave out the words 'licensing justices,' and to insert the words 'Court from which the appeal is made.'"

"In page 19, line 14, at end, to insert the words 'During the pendency of any appeal under this provision against an order upholding an objection to the renewal of the registration of a club, the operation of the order shall be suspended.'"

"In page 19, line 15, to leave out the words 'licensing justices,' and to insert the word 'Court.'"

"In page 19, line 16, to leave out the word 'justices,' and to insert the word 'Court.'"

"In page 19, line 18, after the word 'shall,' to insert the words 'without delay.'"—(*Sir S. Evans*).

Amendments agreed to.

Question put, "That the Clause, as amended, stand part of the Bill."

The Committee divided:—Ayes, 306; Noes, 92. (Division List No. 335.)

Clause 38 disagreed to.

Clause 39:

Amendments proposed:—

"In page 19, line 36, to leave out the words 'the secretary of a club."

"In page 19, line 39, to leave out the word 'the,' and to insert the word 'a.'"—(*Sir S. Evans.*)

Amendments agreed to.

Amendment proposed—

"In page 19, line 39, after the word 'club,' to insert the words 'every member of the committee of the club.'"—(*Sir S. Evans.*)

Question put, "That the Amendment be made."

The Committee divided:—Ayes, 303; Noes, 91. (Division List No. 336.)

Amendments proposed—

"In page 19, line 40, to leave out the word 'twenty,' and to insert the words 'five pound in the case of a first offence, and in the case of a second or any subsequent offence whether in connection with the same or any other club ten.'"

"In page 20, line 5, to leave out the word 'secretary,' and to insert the words 'any person.'"

"In page 20, line 5, at end, to add the words '(2) Section 25 of the Licensing Act, 1902, shall be read as if the names of the committee were included amongst the particulars to be registered mentioned in subsection (2) of that section.'"

"In page 20, line 5, at end, to add the words 'Provided that the aggregate amount of the fines imposed for the same offence under this section shall not exceed twenty pounds.'"—(*Sir S. Evans.*)

Amendments agreed to.

Question put, "That the clause, as amended, stand part of the Bill."

The Committee divided:—Ayes, 299; Noes, 88. (Division List No. 337.)

Clause 40:

Amendment proposed—

"In page 20, line 20, at end, to add the words '(2) During the pendency of any appeal against an order made under Section 28 of the Licensing Act, 1902, directing a club to be struck off the register, the operation of the order shall be suspended.'"—(*Sir. S. Evans.*)

Amendment agreed to.

Question put, "That the Clause, as amended, stand part of the Bill."

The Committee divided:—Ayes, 297; Noes, 84. (Division List No. 338.)

Committee report progress; to sit again To-morrow.

Whereupon Mr. SPEAKER, pursuant to the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at twenty-eight minutes before Twelve o'clock.

HOUSE OF COMMONS: FRIDAY, 6TH NOVEMBER, 1908.

The House met at Twelve Noon of the Clock.

PRIVATE BILL BUSINESS.

Private Bills (Group M).—Mr. LUKE WHITE reported from the Committee on Group M of Private Bills; That, for the convenience of parties, the Committee had adjourned till Tuesday, 10th November, at Eleven of the Clock. Report to lie upon the Table 1545

PETITIONS.

Licensing Bill.—Four Petitions in favour; to lie upon the Table 1545

Women's Enfranchisement Bill.—Petition in favour; to lie upon the Table 1545

RETURNS, REPORTS, ETC.

Trade Reports (Annual Series).—Diplomatic and Consular Reports, Annual Series, No. 4162; to lie upon the Table. 1545

Census of Production Act, 1906.—Rules made by the Board of Trade under the Act; to lie upon the Table 1545

Colonial Import Duties, 1908.—Return relating to the Rates of Import Duties levied upon the Principal and other Articles imported into the British Colonies, Possessions, and Protectorates; to lie upon the Table ... 1545

Aliens Act, 1905.—Return of Alien Passengers brought to the United Kingdom from Ports in Europe or within the Mediterranean Sea, together with the number of Expulsion Orders made; to lie upon the Table ... 1545

Compensation for Industrial Diseases.—Supplementary Report of the Departmental Committee on Compensation for Industrial Diseases; Report, Minutes of Evidence, and Appendix; to lie upon the Table 1546

Universities of Oxford and Cambridge Act, 1877 (Oxford).—Statute made by the Governing Body of All Souls College, Oxford; to lie upon the Table, and to be printed. [No. 318] 1546

Colonial Reports (Annual).—Report No. 582 (Straits Settlements, Annual Report for 1907); to lie upon the Table 1546

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Rifle Associations (Colonies) (Grants).—Return presented, relative thereto; to lie upon the Table 1546

Colonial Statistics. — Statistical Tables relating to British Colonies, Possessions, and Protectorates. Part XXXI., for the year 1906; to lie upon the Table 1546

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Housing, Town Planning, etc., Bill... 1546
Staffing of the Scottish Government Offices 1547
Consular Appointments in British Colonies 1547
Indian Police Pensions 1549
Building of H.M.S. "Defence" 1550
Great Britain and the United States—Exports and Imports 1550
Old-Age Pensions—Calculation of Applicants' Means 1553
Relief of Distress in Belfast... 1553
Contributions by Companies to Political Organisations 1553
London Pension Committees 1554
Employment of Quartermasters of the late Royal Engineers Volunteer Corps... 1554
Messrs. John Stones and the Fair Wages Clause 1554
Territorial Officers Decoration 1555
Royal College of Surgeons 1555
Civil Servants' Deferred Pay 1556

SELECTION (STANDING COMMITTEES).—Sir WILLIAM BRAMPTON GURDON reported from the Committee of Selection.

Report to lie upon the Table.

Licensing Bill.—Considered in Committee.

(In the Committee.)

[Mr. EMMOTT (Oldham) in the Chair.]

Clause 41:

The Solicitor-General (Sir S. Evans, Glamorganshire, Mid.) 1557

Amendment proposed—

"In page 20, line 23, to leave out the words 'specially authorised for the purpose by the chief constable.'"—(*Sir S. Evans.*)

Mr. Arthur Henderson (Durham, Barnard Castle) 1557
Mr. Hart-Davies (Hackney, N.) 1559
Mr. S. Collins, (Lambeth, Kennington) 1560
Mr. Evelyn Cecil (Aston Manor) 1560

Amendment agreed to.

Sir S. Evans 1560

Amendment proposed—

"In page 20, line 23, after the word 'shall,' to insert the words 'if he has obtained a written authority for the purpose from a justice of the peace having jurisdiction in the place.'"—(*Sir S. Evans.*)

Question proposed, "That those words be there inserted."

Sir F. Banbury (City of London) 1561

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Amendment proposed to the proposed Amendment—

"In line 2, to leave out the words 'a justice,' in order to insert the words 'two justices.'"—(*Sir F. Banbury.*)

Question proposed, "That the words 'a justice' stand part of the proposed Amendment."

Mr. Arthur Henderson ... 1562
Sir J. Jardine (Roxburghshire) ... 1562
Mr. Richardson (Nottingham, S.) ... 1563
Viscount Helmsley (Yorkshire, N.R., Thirsk) ... 1563
Mr. W. E. Harvey (Derbyshire, N.E.) ... 1564
Mr. Goulding (Worcester) ... 1565
Sir S. Evans ... 1567
Lord Balcarres (Lancashire, Chorley) ... 1568
Mr. Nussey (Pontefract) ... 1569
Mr. Courthorpe (Sussex, Rye) ... 1569
Mr. Verney (Buckinghamshire, N.) ... 1571
Sir S. Evans ... 1571
Mr. Rees ... 1572
Sir F. Channing ... 1572
Mr. Carlile (Hertfordshire, St. Albans) ... 1572
Mr. Hunt (Shropshire, Ludlow) ... 1573
Mr. Remnant (Finsbury, Holborn) ... 1573
Colonel Lockwood (Essex, Epping) ... 1575
Mr. Rees ... 1576

Question put.

The Committee divided:—Ayes, 155; Noes, 61. (Division List No. 339.)

Question, "That those words be there inserted," put, and agreed to.

Mr. G. D. Faber ... 1577

Amendment proposed—

"After the words last inserted, to insert the words 'provided such written authority shall only remain in force for the space of seven days from the date of the issue thereof.'"—(*Mr. G. D. Faber.*)

Question proposed, "That those words be there inserted."

Sir S. Evans ... 1579

Amendment agreed to.

Viscount Helmsley ... 1579

Amendment proposed—

"In page 20, line 24, after the word 'any' to insert the word 'specified.'"—(*Viscount Helmsley.*)

Question proposed, "That the word 'specified' be there inserted."

Sir S. Evans ... 1580
Mr. Walter Long (Dublin, S.) ... 1580
Viscount Helmsley ... 1580

Amendment, by leave, withdrawn.

Mr. G. D. Faber ... 1581

Amendment proposed—

"In page 20, line 24, to leave out the word 'time,' and to substitute the word 'hour.'"—(*Mr. G. D. Faber.*)

Question proposed, "That the word 'time' stand part of the clause."

Sir S. Evans ... 1581

Amendment, by leave, withdrawn.

Mr. Bowles (Lambeth, Norwood) ... 1581

Amendment proposed—

"In page 20, line 25, after the word 'club,' to insert the words 'named in the written authority.'"—(*Mr. Bowles.*)

Question proposed, "That those words be there inserted."

Sir S. Evans ... 1582

Amendment agreed to.

Mr. Evelyn Cecil ... 1582

Amendment proposed—

"In page 20, line 27, to leave out the word 'not.'"—(*Mr. Evelyn Cecil.*)

Question proposed, "That the word 'not' stand part of the clause.'"

Sir S. Evans ... 1582
Mr. Stuart Wortley (Sheffield, Hallam) ... 1583
Mr. Arthur Henderson ... 1583
Mr. Lambton (Durham, S.E.) ... 1583
Mr. Evelyn Cecil ... 1584
Mr. Walter Long ... 1584
The Under-Secretary of State for the Home Department (Mr. Herbert Samuel, Yorkshire, Cleveland) ... 1585
Mr. Lambton ... 1586
Mr. Goulding ... 1587
Mr. Hart-Davies ... 1587
Mr. Patrick White (Meath, N.) ... 1588
Lord Balcarres ... 1588
Mr. George Roberts (Norwich) ... 1589
Sir F. Cawley (Lancashire, Prestwich) ... 1591
Mr. Bowles ... 1591
Mr. John Ward (Stoke-on-Trent) ... 1592
Mr. Luttrell (Devonshire, Tavistock) ... 1594
Captain Morrison Bell (Devonshire, Ashburton) ... 1594
Mr. Verney (Buckinghamshire, N.) ... 1595
Viscount Helmsley ... 1596
Mr. Richardson (Nottingham, S.) ... 1597
Mr. Rees ... 1598

Question put.

The Committee divided:—Ayes, 186; Noes, 69. (Division List No. 340.)

Sir S. Evans ... 1601

Amendment proposed—

In page 29, line 27, at end, to insert the words 'and shall produce his authority, if it is demanded by any member or official of the club.'"—(*Sir S. Evans.*)

Question proposed, "That those words be there inserted."

Lord Balcarres ... 1601

Amendment agreed to.

Mr. Walter Long ... 1601

Amendment proposed—

"In page 20, line 27, after the words last added, to add the words 'provided that if the chief constable has reason to believe that the

entry and inspection of a club and premises by such person or persons when not in uniform might occasion a breach of the peace, he may then direct him or them to wear uniform.' "—(*Mr. Walter Long.*)

Question proposed, "That those words be there added."

Sir S. Evans 1604
Mr. Hunt 1605
Mr. Lyttelton (St. George's, Hanover Square) 1605
Mr. Cave (Surrey, Kingston) 1606
Sir S. Evans 1607
Mr. A. J. Balfour (City of London) 1607
Mr. George Roberts... 1608

Question put.

The Committee divided:—Ayes, 77; Noes, 197. (Divison List No. 341.)

Question proposed, "That the clause, as amended, stand part of the Bill."

Mr. Bottomley 1609
Mr. A. J. Balfour 1614
Sir S. Evans 1615
Mr. Rawlinson (Cambridge University) 1617
Mr. Lyttelton 1618
Sir S. Evans 1619
Lord R. Cecil 1621
Mr. William Rutherford 1622

Question put.

The Committee divided :—Ayes, 205 ; Noes, 86. (Division List No. 342.)

Clause 42 :

Mr. Black (Bedfordshire, Biggleswade) 1625

Amendment proposed—

"In page 20, line 28, after the word 'club,' to insert the words 'after the hours at which licensed houses are closed in the licensing district in which the club is situated, nor shall intoxicating liquor be supplied in a club.' "—(*Mr. Black.*)

Question proposed, "That those words be there inserted."

Mr. Herbert Samuel 1625
Mr. Luttrell 1626

Question put.

The Committee divided :—Ayes, 61 ; Noes, 222. (Division List No. 343.)

Amendment proposed—

"In page 20, line 29, to leave out from the word 'premises' to the end of line 30."—(*Mr. Herbert Samuel.*)

Amendment agreed to.

Question put, "That the clause, as amended, stand part of the Bill."

The Committee divided :—Ayes, 228 ; Noes, 79. (Division List No. 344.)

And, it being Five of the Clock, the CHAIRMAN proceeded, in pursuance of the Order of the House of the 17th of July, successively to put forthwith the Question on the Amendments moved by the Government, of which notice had been given, and the Questions necessary to dispose of the Business to be concluded this day.

Clause 43 :

Amendments proposed—

"In page 21, line 10, to leave out from the word 'resolution' to the word 'and' in line 12."

"In page 21, line 14, after the word 'Wales' to insert the words 'with the exception that a majority of two-thirds of the votes given shall be required for the carrying of the resolution or the extinction of all on-licences instead of a bare majority and.'"

"In page 21, line 32, to leave out the word 'a,' and to insert the words 'the necessary."—(*Sir S. Evans.*)

Amendments agreed to.

Question put, "That the Clause, as amended, stand part of the Bill."

The Committee divided :—Ayes, 224 ; Noes, 84. (Division List No. 345.)

Clause 44 :

Question put, "That the clause stand part of the Bill."

The Committee divided :—Ayes, 230 ; Noes, 77. (Division List No. 346.)

Clause 45 :

Amendment proposed—

"In page 22, line 34, to leave out from the word 'they' to the word 'and' in line 36, and insert the words 'were buildings newly erected.'"—(*Sir S. Evans.*)

Question put, "That the Amendment be made."

The Committee divided :—Ayes, 226 ; Noes, 73. (Division List No. 347.)

Amendments proposed—

"In page 22, line 38, to leave out from the word 'apply' to the word 'and' in line 40, and insert the words 'accordingly ; and for the purpose of all the provisions so applied the owner or other person in receipt of the rent of the premises shall be treated as a ratepayer, whether he is in fact a ratepayer or not.'"

"In page 23, line 1, to leave out the word 'eighteen' and insert the word 'seven.'"

"In page 23, line 2, to leave out the word '1907' and insert the word '1908.'"

In page 23, line 5, to leave out the word 'seven' and to insert the word 'eight.'"—(*Sir S. Evans.*)

Amendments agreed to.

Question put, "That the clause, as amended, stand part of the Bill."

The Committee divided :—Ayes, 217 ; Noes, 72. (Division List No. 348.)

Clause 46 :

Question put, "That the clause stand part of the Bill."

The Committee divided :—Ayes, 204 ; Noes, 59. (Division List No. 349.)

Clause 47 agreed to.

New clause—

"In page 21, after Clause 43, to insert the following clause : '(1) In this Act, unless the context otherwise requires : (*a*) The expression "urban area" means a ward in the case of a borough or urban district divided into wards, and a borough or urban district in the case of a borough or urban district not divided into wards, and for the purposes of the definition of an "urban area" a metropolitan borough shall be deemed to be a borough. Where at the passing of this Act part of an urban area is situated in one licensing district and part in another, the Secretary of State shall make such an order as may be necessary for the purpose of securing that the whole of the urban area shall be included in one licensing district, and may by the order either alter the boundaries of the licensing districts, or, if he is of opinion that each part of the area can properly be treated as a separate urban area, declare that each part shall be so treated, and the order shall take effect accordingly; (*b*) the expression "rural parish" means a parish in a rural district; (*c*) the expression "Licensing Acts" means the Licensing Acts, 1828 to 1906, and this Act. (2) Any reference in this Act to any provision of the Licensing Acts, 1828 to 1906, which has been amended by any subsequent Act, or is amended by this Act, shall be construed as a reference to the provision as so amended.' "—(*Sir S. Evans.*)

Brought up, and read the first time.

Question put, "That the clause be added to the Bill."

The Committee divided:—Ayes, 198; Noes, 58. (Division List No. 350.)

Committee report Progress; to sit again upon Monday next.

And, it being half-past Five of the Clock, Mr. DEPUTY-SPEAKER adjourned the House without Question put, pursuant to Standing Order No. 3.

Adjourned at nine minutes before Six o'clock till Monday next.

HOUSE OF COMMONS: MONDAY, 9TH NOVEMBER, 1908.

The House met at a quarter before Three of the Clock.

PRIVATE BILL BUSINESS.

Kirkcaldy and Dysart Water Order Confirmation Bill [LORDS].—Read the third time, and passed, without Amendment 1653

PETITIONS.

ENFRANCHISEMENT OF WOMEN.—Petition for legislation; to lie on the Table.

RETURNS, REPORTS, &c.

Rifle Associations (Colonies) (Grants).—Return to be printed. [No. 319] 1653

Royal University of Ireland.—Twenty-sixth Report of the Royal University of Ireland, being for the year 1907; to lie upon the Table 1653

Intermediate Education (Ireland).—Rule in substitution of Rule 14 of the Rules made by the Intermediate Education Board for Ireland, sealed on 17th June, 1908; to lie upon the Table 1653

Winter Assizes (Ireland).—Four Orders in Council, dated 3rd November, 1908, for holding Winter Assizes in Ireland; to lie upon the Table ... 1653

Post Office Savings Bank (Regulations).—Post Office Savings Bank Amendment (No. 1) Regulations, 1908; to lie upon the Table... ... 1653

Board of Education.—Report of the Committee of Rearrangement, Victoria and Albert Museum (Art Division) [by Command]; to lie upon the Table 1654

East India (Proclamations).—Address for "Copies of the Proclamation of the King, Emperor of India, to the princes and people of India, of the

2nd day of November, 1908, and the Proclamation of the late Queen Victoria of the 1st day of November, 1858, to the princes, chiefs, and people of India." 1654

Land Judge's Court (Ireland).—Return ordered, "by counties, of the Estates in the Land Judge's Court over which Receivers have been appointed" 1654

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Assets and Liabilities of Local Authorities 1654
Old-Age Pensions—Means of Married Couples 1655
Hearing of County Donegal Income-Tax Appeals 1655
Distribution of John Jeffcott's Farm on the Blocker-Douglas Estate... ... 1656
Bexhill Post Office—Unhealthy Condition of Instrument Room 1657
Messrs. White & Company (of Cowes) and Tenders for New Destroyers ... 1657
Messrs. John Stones, Limited, and the Fair Wage Resolution 1658
Relief of Unemployment—Extra Men at the Dockyards 1658
Delay in Repayment of Income-Tax Claims 1658
Old-Age Pensions—Voluntary Payments 1659
Old-Age Pensions Regulations—Metropolitan Boroughs 1659
Cattle-Driving in Ireland 1659
Irish Evicted Tenants—County Meath Cases 1660
Uneconomic Holdings on Kellett's Estate, County Meath 1663
Reply to Letter of Mr. P. White, M.P. 1663
Cattle-Driving in Ireland 1663
High Velocity Ammunition 1664
Ammunition for ·303 Rifle 1664
Efficiency of Service Rifle 1664
Quit Notices to Tenants on Salisbury Plain 1665
Automatic Rifle 1665
Waddington Hospital Charity 1665
New Post Office at Machynlleth 1667
Post Office Factories—Manufacturing and Repairing 1667
Metropolitan Police Force and Production of Rent Books 1668
Upkeep of Imperial Institute 1668
Applications for Small Holdings in Surrey 1669
Provision of Small Holdings in the Island of Lewis 1671
Petition of Carpenters and Joiners of the Admiralty Works Department ... 1671
Stirling Castle 1671
Work for Stepney Unemployed 1672
Old-Age Pension Claims from Ireland 1672
Expenditure out of Issues to meet Capital Expenditure by Government Departments 1673
Evicted Tenants—Case of John D. M'Manus 1673
Poor Law Reform in Ireland 1674

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Qualifications for Appointment as Irish Local Government Board Auditor ... 1675
Applications under Labourers Act in Banbridge Union 1675
Irish Evicted Tenant—Case of Mrs. Delany 1676
Distribution of the Grazing Farm of the late A. J. Owen 1676
Nash Estate—Case of Patrick Cronin 1677
Irish Evicted Tenants—Case of William Bullman 1677
Relief of Distress in Ireland 1677
Irish Evicted Tenants—Case of Mrs. S. O'Donnell 1678
Royal Irish Constabulary Bill 1678

QUESTIONS IN THE HOUSE.

Fleet Exercises 1679
Cowes Shipbuilding Yard 1680
Wages on Portsmouth Government Contract 1680
Greenwich Hospital Pensions 1680
Liabilities of Special Reservists 1681
The "Unemployed" Special Reservists 1682
Health Standard for the Special Reserve 1682
Royal Ordnance Department Discharges 1682
First-Aid to Wounded in the Army 1683
Beresford Barracks, The Curragh 1684
Officers' Travelling Allowances 1684
Regimental Canteen Contracts 1685
Special Reservists and Jury Service 1685
Pointed Bullets 1686
Attempt upon the Lieutenant-Governor of Bengal 1686
Gyroscope Mono Railway... 1687
Natal Native Administration 1687
British Indians in the Transvaal 1688
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British Policy in Egypt 1690
Russian Officers in the Persian Army 1690
British Indians at Lorenzo Marques 1691
Inter-Parliamentary Union 1691
Colonial Bank Account and Income-Tax 1691
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Case of John Hay 1694
Union Jack Motor Omnibuses 1695
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Case of Mary Manning 1696
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Compensation for Suppressed Licences ... 1699
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Motor Speed Limits—Applications by Local Authorities ... 1703
Berlin Night Shelters ... 1703
Imports of Meat—Christian and Jewish Standards of Fitness ... 1704
Accidents through Motor Traffic ... 1704
American Tinned Meat ... 1706
Christmas Pressure in the Leeds Post Office ... 1707
Civilian Rights in the Civil Service ... 1707
Foreign Letter Regulation ... 1708
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Irish Land Bill ... 1717
Old-Age Pension Regulations ... 1718
Tied Houses ... 1718
Political Bodies in the Civil Service ... 1719
Passenger Vessels and the Licensing Bill ... 1719
Licensing Bill—Definition of a Meal ... 1719
Refreshment Contracts for Government Offices ... 1720
Irish Land Purchase Block ... 1720
Business of the House ... 1721

Licensing Bill.—Considered in Committee.
(In the Committee.)
[Mr. EMMOTT (Oldham) in the Chair.]
Schedule I.

Mr. G. D. Faber (*York*) ... 1721

Amendment proposed—

"Schedule 1, page 24, leave out lines 5 to 12, inclusive, and insert,"—

Persons per acre.	Number of on-licences.
2 or less	1 to 300 persons or part of 300.
Exceeding 2 but not exceeding 25 . .	1 to 400 ,, 400.
,, 25 ,, 50 . .	1 to 500 ,, 500.
,, 50 ,, 75 . .	1 to 600 ,, 600.
,, 75 ,, 100 . .	1 to 700 ,, 700.
,, 100 ,, 200 . .	1 to 800 ,, 800.
,, 200	1 to 900 ,, 900.

Question proposed, "That the first 400 stand part of the Schedule."—(*Mr. G. D. Faber*).

The Under-Secretary of State for the Home Department (Mr. Herbert Samuel, Yorkshire, Cleveland) 1725
Mr. Akers-Douglas (Kent, St. Augustines) 1729
Mr. Montagu (Cambridgeshire, Chesterton)... 1729
Mr. Samuel Roberts (Sheffield, Ecclesall) 1729
Mr. Bertram (Hertfordshire, Hitchin) 1730
Mr. Jesse Collings (Birmingham, Bordesley) 1732
Mr. Leif Jones (Westmoreland, Appleby) 1735
Mr. Younger (Ayr Burghs) 1740
Mr. Barnard (Kidderminster) 1742
Mr. Walter Long (Dublin, S.) 1743
Mr. Herbert Samuel 1745
Mr. Cave (Surrey, Kingston) 1750
Mr. James Hope (Sheffield, Central) 1752
Mr. Gretton (Rutland) 1754
Sir F. Banbury (City of London) 1756
Mr. Gibbs (Bristol, W.) 1758

Question put.

The Committee divided:—Ayes, 225; Noes, 87. (Division List No. 351.)

Mr. Samuel Roberts 1761

Amendment proposed—

"In page 24, lines 13 and 14, to leave out the words 'the last Census for the time being,' and insert the words 'a yearly estimate of population to be made by the local authority."—(*Mr. Samuel Roberts.*)

Question proposed, "That the words proposed to be left out stand part of the Schedule."

Mr. Ashley (Lancashire, Blackpool) 1763
The Solicitor-General (Sir S. Evans, Glamorganshire, Mid.) 1764
Mr. Walter Long (Dublin, S.) 1766
Sir S. Evans 1767
Mr. Bertram 1768

Amendment, by leave, withdrawn.

Mr. G. D. Faber 1768

Amendment proposed—

"In page 24, line 16, to leave out the word 'may,' and insert the word "shall.'"—(*Mr. G. D. Faber.*)

Question proposed, 'That the word 'may' stand part of the Schedule."

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Sir S. Evans 1769
Mr. Stuart-Wortley (Sheffield, Hallam) 1769
Mr. Ashley... 1770
Mr. Carlile (Hertfordshire, St. Albans) 1770

Question put.

The Committee divided :—Ayes, 225 ; Noes, 84. (Division List No. 352.)

Mr. Younger 1773

Amendment proposed—

"In page 24, to leave out lines 18 and 19, and to insert the words 'Where it appears inexpedient to reduce the number of on-licenses in any parish or area below two.'"—(*Mr. Younger.*)

Question proposed, "That the words down to the word "on-licences" in line 18 stand part of the Schedule."

Sir S. Evans 1774

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 24, lines 18 and 19, to leave out the words 'number of on-licences in any such parish or area does not exceed,' and to insert the words 'strict application of the scale would reduce the number of on-licences below.'"—(*Mr. Cave.*)

Amendment agreed to.

Mr. Cave 1774

Amendment proposed—

"In page 24, line 22, after the word 'area,' to insert the words 'or to the fact that the premises or any of them are situate near to the boundary of an adjoining parish or area in which the number of on-licences is below the scale number."—(*Mr. Cave.*)

Question proposed, "That those words be there inserted."

Sir S. Evans 1775
Mr. Akers-Douglas... 1775

Amendment, by leave, withdrawn.

Mr. Gretton... 1776

Amendment proposed—

"In page 24, line 22, after the word 'area,' to insert the words 'or owing to the defects of roads, or facilities of transit, special treatment is required.'"—(*Mr. Gretton.*)

Question proposed, "That those words be there inserted."

Sir S. Evans 1776

Amendment negatived.

Mr. Gretton 1777

Amendment proposed—

"In page 24, line 28, to leave out the word 'population,' and to insert the words 'number of persons.'"—(*Mr. Gretton.*)

Question proposed, "That the word 'population' stand part of the Schedule."

Sir S. Evans 1777

Amendment agreed to.

Mr. Cave 1777

Amendment proposed—

"In page 24, line 29, after the word 'required,' to insert the words 'by reason of a substantial increase of population since the Census or.'"—(*Mr. Cave.*)

Question proposed, "That those words be there inserted."

Sir S. Evans 1778

Amendment agreed to.

Mr. Cave 1778

Amendment proposed—

"In page 24, line 31, after the word 'day,' to insert the words 'or from an adjoining parish or area.'"—(*Mr. Cave.*)

Question proposed, "That those words be there inserted."

Mr. Leif Jones 1778
Sir S. Evans 1778

Amendment agreed to.

Question proposed, "That the Schedule, as amended, be the first Schedule to the Bill."

Mr. Gretton 1783
Mr. James Hope 1783
Mr. Herbert Samuel 1784
Mr. G. D. Faber 1785
Mr. Younger 1785
Sir S. Evans 1786
Mr. Walter Long 1789
Mr. Barnard 1791
Mr. James Hope 1792
Sir F. Banbury 1792
The Secretary of State for the Home Department (Mr. Gladstone, Leeds, W.) 1795
Mr. Remnant (Finsbury, Holborn) 1795
Mr. Ashley 1796
Mr. T. F. Richards (Wolverhampton, W.) 1797

Question put.

The Committee divided:—Ayes, 217; Noes, 73. (Division List No. 354.)

Schedule 2:

Mr. Gretton 1801

Amendment proposed—

"In page 25, line 25, to leave out the word 'hotels.'"—(*Mr. Gretton.*)

Question proposed, "That the word 'hotels' stand part of the Schedule."

Sir S. Evans 1801

Amendment, by leave, withdrawn.

Mr. Agar-Robartes (Cornwall, St. Austell) 1802

Amendment proposed—

"In page 25, line 32, at the end, to add the words 'No levy shall be charged to a hotel or restaurant where the holder of the licence agrees not to sell and is thereby prevented from selling any intoxicating liquor to any person who: (1) Is not residing in the hotel; or (2) is not having a meal in the hotel or restaurant.'"—(*Mr. Agar-Robartes.*)

Question proposed, "That those words be there added."

Sir S. Evans 1804
Sir F. Banbury 1805

Amendment, by leave, withdrawn.

Sir S. Evans 1805
Mr. Younger 1806

Question put, "That this be the second Schedule to the Bill."

The Committee divided :—Ayes, 233 ; Noes, 80. (Division List No. 355.)

Schedule 3 :

Mr. Cave 1809

Amendment proposed—

"In page 26, line 11, to leave out subsection (2)."—(*Mr. Cave.*)

Question proposed, "That the words proposed to be left out stand part of the Schedule."

Sir S. Evans 1810
Mr. Bertram 1811
Sir S. Evans 1813

Amendment, by leave, withdrawn.

Question put, "That this be the third Schedule to the Bill."

The Committee divided :—Ayes, 262 ; Noes, 88. (Division List No. 356.)

Schedule 4 agreed to.

Schedule 5 :

Mr. McArthur (Liverpool, Kirkdale) 1817

Amendment proposed—

"In page 29, to leave out line 30."—(*Mr. McArthur.*)

Question proposed, "That the words proposed to be left out stand part of the Schedule."

Mr. Herbert Samuel 1818
Mr. Stuart Wortley 1819
Mr. Ashley 1820
Mr F. E. Smith (Liverpool, Walton) 1821
Mr. Herbert Samuel 1823

Question put.

The Committee divided :—Ayes, 285 ; Noes, 101. (Division List No. 357.)

And, it being after half-past Ten of the Clock, the CHAIRMAN proceeded, in pursuance of the Order of the House of 17th July, successively to put forthwith the Question on the Amendments moved by the Government, of which notice had been given, and the Questions necessary to dispose of the Business to be concluded this day.

Amendments proposed—

"In page 29, to leave out line 35."

"In page 29, to leave out lines 39 to 41, inclusive."

"In page 30, line 6, to leave out the words '1828 to 1906.'"

"In page 30, to leave out lines 8 to 12, inclusive."

"In page 30, to leave out lines 21 and 22."

"In page 30, line 23, after the word 'under,' to insert the words 'Paragraph (2) of.'"

"In page 30, line 34, to leave out the words 'or on board any other vessel belonging to the same owner. Provided that nothing in this provision shall prevent the supply of intoxicating liquor to a person taking a meal in a part of the vessel assigned for the purpose, or requiring the liquor on account of illness.' "—(*Mr. Herbert Samuel.*)

Amendments made.

Question, "That this Schedule as amended be the fifth Schedule to the Bill."

The Committee divided:—Ayes, 285; Noes, 102. (Division List No. 358.)

Schedule 6:

Question, "That this be the sixth Schedule to the Bill."

The Committee divided:—Ayes, 286; Noes, 99. (Division List No. 359.)

Schedule 7:

Amendment proposed—

"In page 34, line 34, after the word 'three,' to insert the words 'Section 4, from 'which is represented' down to 'taken into consideration.'' "—*Sir S. Evans.*

Question put, "That the Amendment be made."

The Committee divided:—Ayes, 285; Noes, 97. (Division List No. 360.)

Amendment proposed—

"In page 34, line 37, after the word '(2),' to insert the words 'from "Provided that" to the end of the subsection.' "—(*Sir S. Evans*).

Question put, "That the Amendment be made."

The Committee divided:—Ayes, 278; Noes, 98. (Division List No. 361.)

Question put, "That this Schedule, as amended, be the seventh Schedule to the Bill."

The Committee divided:—Ayes, 270; Noes, 97. (Division List No. 362.)

Whereupon the CHAIRMAN left the Chair to report the Bill to the House.

Bill reported; as amended, to be considered To-morrow, and to be printed. [Bill 368.]

Whereupon Mr. SPEAKER, pursuant to the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at twenty-four minutes before Twelve o'clock.

END OF TABLE OF CONTENTS TO VOL. CXCV.

THE

PARLIAMENTARY DEBATES

(*AUTHORISED EDITION*)

IN THE

THIRD SESSION OF THE *TWENTY-EIGHTH PARLIAMENT* OF THE UNITED
KINGDOM OF *GREAT BRITAIN* AND *IRELAND*, APPOINTED TO MEET
THE TWENTY-NINTH DAY OF JANUARY IN THE EIGHTH YEAR OF THE
REIGN OF

HIS MAJESTY KING EDWARD VII.

THIRTEENTH VOLUME OF SESSION 1908.

HOUSE OF LORDS.

Tuesday, 27th October, 1908.

RETURNS, REPORTS, ETC.

BOARD OF EDUCATION.

List of certified schools for blind, deaf, defective, and epileptic children in England and Wales on 31st July, 1908.

CROWN LANDS ACT, 1906.

Second Report by the President of the Board of Agriculture and Fisheries, as a Commissioner of Woods, Forests, and Land Revenues, by virtue of the Crown Lands Act, 1906.

UGANDA RAILWAY.

Return showing, the capital expenditure on the Uganda railway; the charge involved upon the Exchequer by the capital expenditure, the gross and net earnings of the line for each year since it was opened.

Presented (by Command), and ordered to lie on the Table.

SHOP HOURS ACT, 1904.

Order by the Secretary for Scotland, dated 6th October, 1908, providing for the early closing of certain classes of shops in the burgh of Coatbridge. Laid before the House (pursuant to Act), and ordered to lie on the Table.

ARMY.

Return respecting. Laid before the House (in pursuance of Address of 29th July last), and to be printed. [No. 213.]

PUBLIC-HOUSES (EXTENSION OF FACILITIES) BILL [H.L.].

[SECOND READING.]

Order of the Day for the Second Reading read.

*LORD LAMINGTON: My Lords, this Bill was originally introduced in the House of Commons at the beginning of this session, and it was there supported by a number of Members of not only one party complexion; but, owing to the block of business in the other House, the Bill made no further progress. It may seem rather strange to advocate the

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

improving of public-houses when the diametrically opposite policy has been, and is still being, carried on by many licensing authorities. Their policy has been, in a great number of cases, to allow public-houses to deteriorate and to become uninviting, to make them disreputable rather than to improve them.

That policy was, I think, fallacious in conception, and it has been disastrous in practice. It has been wrong because it has gone on the principle that to drink alcoholic beverages is in itself a crime, instead of recognising that it is almost universal for mankind to wish to gratify the instinct for some alcoholic drink, and in any case it has been futile owing to the existence of houses with off-licences and grocers' licences where drink can be procured in abundance. Again, the licensing authorities have failed to recognise that for the great bulk of our population there is no other place of meeting than the public-house. The poor live in sordid, mean quarters, and if they want recreation there is no other place for them to go to except the public-house. This applies to women as well as to men, and, therefore, as they are almost forced for any relaxation and pleasure to go to a public-house, you should make the surroundings inviting rather than the reverse.

If you drive people to extremities, where can they go ? The result is that they form drinking clubs. Therefore, I maintain that the policy has been wrong, and ought to be amended. Many cases have occurred where the licensing authorities have refused to allow games such as dominoes, skittles, and bowls. I have heard of a number of such instances. In Leeds the owners of a house wished to rebuild their premises and make them more commodious, but their application was refused. An application was made from another quarter to enlarge the dining-room, but that also was refused. In another place, where the owner had a large entrance hall, he had a table placed there on which commercial travellers used to unpack their bags, and where clothes brushes, etc., were kept. The police came in and ordered the table to be removed, as it might be taken advantage of for the sale of drink. In Liverpool attempts to be allowed tents on bowling greens have been refused, and people have been forced to go into the public-houses when they wanted any refreshments. In Bradford the magistrates have declared that they want no improvements, and that their desire is to improve public-houses out of existence.

It is the same story in Monmouthshire and also in Shropshire, where applications for improving buildings and securing better sanitary accommodation have all been rejected. There is the case of a public-house at the end of a tram line which is much frequented by country people, and at which they put up their horses and traps. The owner wished to build a larger house and to set apart a garden and also a room for the sale of non-intoxicants, teas, and light refreshments. That application, too, was rejected; and so it goes on. Even in cases where concessions are made very onerous obligations are imposed. Thus, in Lancashire one brewery firm in five years spent £15,000 on improving six licensed premises, and they were only allowed to do this by surrendering other licences of the value of £6,800. That means that a very heavy burden is placed on the company or owners of the public-house to recoup themselves for the surrender of these other licences. In fact, every obstacle has been placed in the way of preventing the improvement of public-houses, which it is desired, in the interests of temperance, should be brought about.

There is only one argument that I know of against this proposal, and that is that if you improve public-houses you attract the outside public and also young people. Well, the outside public may be called people who have self-restraint and self-control, and can be trusted to look after their own interests in this matter; and as for the young, I imagine that as soon as a boy is of the age to be served at the bar he is more likely to go to the bar to which he had previously been denied admittance and order drink than to stay away; whereas, if that public-house was able to sell other drinks and give other forms of recreation, that boy would not be thereby more tempted, but would have the means of indulging in a far more harmless manner his desire for refreshment. This may be said to be only theorising, but I can prove it absolutely from what has occurred in the past.

I do not think anybody will deny that there has been a great improvement during the last three generations in the drinking habits of the nation throughout every class, but it has been more particularly marked amongst the upper and middle classes. Why has it been brought about? Not by restrictions being placed by an outside party on drinking, but solely by the forces of self-respect and example. These two forces have produced a very beneficial improvement in our habits, and they are gradually becoming so recognised that we find many semi-philanthropic societies being started for the development of the public-house system on what is termed model lines. But, of course, it is impossible for them to cover the great area of country that there is, but I might just quote a letter that was sent me to-day unsolicited to show what is done in this direction. The policy of the licensing authorities has been to keep to partitions and saw dusted floors, zinc counters, and so on, and to have perhaps no seats, or an insufficient number of seats. By contrast to this is the description sent to me of a public-house opened at Wolverton, and which is daily frequented by workmen of the London and North Western Railway—

> "On Saturday afternoons we have often had a good local band playing, and the residents here brought their wives for an afternoon's quiet enjoyment. Tea and all kinds of refreshments, alcoholic and non-alcoholic, are served at small tables in a tea pavilion and on the lawn, just as in a Continental beer garden."

That is what I maintain should be the aim and object of all our public-houses.

Reference is made in the Memorandum attached to the Bill to the practice in vogue on the Continent, and anyone who has been there will have seen the cafés and beer restaurants where men with with their wives and families spend their leisure time happily and without the slightest idea of over-indulgence. It may be said that these are conditions that do not belong to this country, and therefore cannot be quoted as a strong illustration. But I give instances nearer home. You have large pleasure grounds like those of the Crystal Palace, where throngs of people assemble on various occasions. You have had the Franco-British Exhibition visited by millions of people of every class of society, young and old, and yet I have not heard of any drunkenness or disorder there. I might quote, too, the management of Army canteens on these improved and more liberal lines. Similar cases might be given throughout the country. The more you encourage the pressure of the general public the higher the standard of sobriety and general order. That is the whole principle of this Bill.

The Government will, I trust, see their way to give the Bill their support. As we know, they have a very large licensing measure of their own in another place, and it is to be presumed by the drastic contents of that measure that they do not view with satisfaction the present condition of our public-houses. Therefore they should be most anxious to see that the condition of those public-houses is reformed and improved. But there is one particular point on which I think I may claim their support. Great danger does lie if that measure becomes law owing to the almost certain increase of drinking clubs, and I think every section of those who desire to see temperance inculcated in this country are agreed that drinking clubs are a very great source of danger. It must be remembered that these clubs can supply liquor at about half the price charged in public-houses; they are open at hours when public-houses are closed, and they offer attractions certainly far more formidable than the innocent and small forms of recreation to which I have referred, such as dominoes, skittles, and bowling greens. I have papers here containing the advertisements of these clubs, and I think it would be a revelation to many Members of this House to know the kind of entertainment that is provided in these places. They are practically music-halls in many cases; they have beauty shows for both sexes, dancing, and other attractions which presumably appeal to a large section of the public. Surely it is better to try and get a counterpoise to these clubs by improving moderately our public-houses, and, above all, exposing them to the full glare of public opinion. The safeguards that exist in the case of public-houses are but mildly felt in the case of clubs; there is only a small amount of police supervision and a small force of public opinion directed against them. I trust, therefore, that His

Majesty's Government will see fit to give their support to this Bill as possibly the only true way of meeting the evil of drinking clubs.

I do not pretend for a moment that if this Bill becomes law there is going to be a sudden transformation of public-houses. The expense of alterations and improvements is very great, and catering in refreshments other than intoxicants is not very remunerative, except in the case of large central depots or of firms having many retail branches. Again, the enlargement of premises is a difficult matter in large cities and towns. But even here the licensed victualler might be allowed to re-arrange his existing premises so as to make them more clubable and more commodious. I trust that this Bill may become law, and that by breaking down arbitrary and harmful powers of prohibition and restriction something may be done to dispel the pernicious traditions that attach to our licensing system; and then, just as sunshine is the greatest purifier, so other and better influences will have play, and these will brighten the atmosphere and turn into pleasurable resorts those places which are now admittedly haunts for drinking, and for drinking only. I trust I have said enough to secure for the Bill a second Reading which I now beg to move.

Moved, "That the Bill be now read 2ª."—(*Lord Lamington.*)

THE EARL OF LYTTON: My Lords, I expect your Lordships will agree that this would not be a fitting occasion to enter into a general discussion of the evil of intemperance and the different methods which may be adopted to deal with it. We shall have an opportunity later in the session of discussing that large question when the Licensing Bill of His Majesty's Government comes before us. But the Bill of my noble friend raises one very important question, and one which I think he is to be congratulated on having brought before the House in a form which enables it to be discussed free from the other considerations of graver import attached to the larger measure, and free also from some of the acute controversy which centres round the Government proposals.

I do not mean that this Bill is entirely uncontroversial. I do not expect my noble friend imagines that it would meet with unanimous approval, but at any rate, such controversy as attaches to it is of a minor degree compared with that which attaches to the Licensing Bill of the Government. There is a Memorandum prefixed to this Bill which is very interesting reading—a Memorandum which is practically a Second Reading speech for the Bill, and which contains many interesting statistics and arguments. I cannot think that my noble friend quite accurately describes his Bill in the first words of the Memorandum, because he says—

"The object of this Bill is to reform public-houses."

Yet I see nothing whatever in the terms of the Bill itself which will have that effect. The only effect which the Bill itself will have is to remove certain obstacles, or supposed obstacles, which exist at the present moment in the way of reforming public-houses.

Now, with a great deal of what is stated in this Memorandum, and with practically everything which my noble friend said in his speech, I find myself in entire agreement. As I understand the contention of my noble friend, it is this: that, in the first place, there is at the present moment in this country a growing opinion amongst those who belong to what I may call the moderate section of the temperance party in favour of reform of public-houses—reform in the direction of making them places of general refreshment where people can congregate for social intercourse, and converting them into what corresponds to the continental café or the workman's club rather than the mere drinking bar. He further contends that many owners of public-houses are at this moment desirous of falling in with this view and of lending their influence in bringing about these reforms, but that they are frequently thwarted in their efforts by the action of the licensing benches. With every word of that I find myself in entire agreement. I have for some years been closely associated with a movement which has that object in view. I refer to the Public House Trust, the object of which is to bring about this reform of the public-house.

I believe with my noble friend that it is time we recognised the part which the public-house must play in any practical scheme of temperance reform. I agree with him in thinking that we are postponing the day when such a reform may be brought about by continuing to treat public-houses as places of disrepute. I am inclined to think that one of the greatest obstacles of temperance reform at the present moment is the fact that the extreme section of the temperance party, like drunkards—I hope my noble friend on the cross benches will excuse the simile—will persist in abusing the public-house. On that I agree with my noble friend, and I admit that in a great many instances licensing benches do not at the present moment appreciate the value of reform on these lines, though I am inclined to think the noble Lord has somewhat exaggerated the action of the benches in objecting to structural alterations which licence-holders may bring forward with this object in view; but in London, at any rate, licence-holders have found considerable difficulty in adapting their premises to the refreshment-house type of public-house. With all this, as I say, I entirely agree.

But when I turn from my noble friend's speech and from the Memorandum to the Bill itself I confess that I am considerably disappointed, because what is set forward in the Bill is not really a practical remedy for the state of things which my noble friend deplores. In fact, the provisions of this Bill as they stand would, I fear, lead to endless confusion in practice. All that the single clause of this Bill does is to give a very general direction that licensing justices shall do nothing to interfere with the good intentions of a licence-holder who is desirous of improving his premises. My noble friend contends that obstacles are placed in the way of a licence-holder who is anxious to improve the food and non-alcoholic portion of his trade in existing licensed premises, but that difficulty does not arise on the premises as they exist already and are licensed by the magistrates. In fact, it is part of the law of the land that a publican is obliged to provide food and sell it to whoever applies for it, and that failure to provide food on licensed premises may be treated as an act of misconduct which may forfeit the licence. The only difficulty arises in the case of extending premises. It is only when the licence-holder comes forward and wishes to add to his property that he finds obstacles placed in his way by the bench.

Conceive what would be the effect in practice if this Bill were to become law. Whenever a licence-holder appeared before a licensing bench and asked for any extension whatsoever in his premises, it would be easy for him to contend that he was asking for it so as to develop the food and non-alcoholic trade, and it would be impossible, according to this Bill, for the magistrates to refuse their permission. Any clever lawyer whose services the licence-holder might secure would have a very easy time with the town clerk or the licensing justices. He could prove that in applying for these alterations the licence-holder was solely actuated by temperance motives, and that the magistrates, if they refused to comply, would be running contrary to the law, and I cannot help feeling that the effect of this Bill would be to paralyse altogether the action of the magistrates, to relieve them entirely of their discretion in the matter of sanctioning or refusing to sanction these alterations, and to deliver them over-bound hand and foot to the mercy of the trade.

Therefore, regarded as a practical piece of legislation to meet a recognised evil, I cannot help thinking that the proposals of this Bill are not satisfactory. I have no knowledge what course the House may decide to adopt with regard to it, nor do I know if my noble friend intends to push the Bill through all its stages in this House. We know, of course, that there is little chance of its passing into law. For my own part, I welcome its introduction, and I sincerely hope that it will give rise to a lengthy discussion of the very important question which is raised by the Bill, and if it were granted a Second Reading merely with the object of affirming approval of the principle that reform of the public-house is needed, I should very much favour such a course. But if the Bill is to be taken as a serious piece of legislation and passed through all its stages, I cannot help saying that I should, though with the utmost possible reluctance, find myself unable to support it.

*THE EARL OF CARLISLE: My Lords, as I do not often take up the time of your Lordships' House, I hope I may be allowed to say a few words this evening in criticism of this very revolutionary measure. The noble Lord gave such a glowing description of the state of things which he hoped to produce that I think it may probably have escaped notice how very much his short Bill is contrary to all the traditions of our licensing legislation, contrary to what has been the tendency of the legislation in this country ever since the beginning of licensing laws, contrary to the advice given by Lord Peel's Licensing Commission in both the Majority and Minority Reports, and contrary to the Act of 1902, which embodied the advice on that subject contained in both of those Reports.

Lord Peel's Commission heard a great deal of evidence on this very subject. Complaints were commonly made, according to the evidence before the Commission, of the development of snugs and bar parlours, which prevented proper supervision either by the police or the licence-holder. In Pontypridd and Rhondda evidence was given that the justices had sanctioned licences for plans which gave promise of large palatial-looking buildings, with coffee-rooms and commercial rooms, exactly what the noble Lord requires, and then subsequently the licence-holder, after obtaining the licence, closed these rooms and used all the accommodation to establish a long bar without food or proper refreshment for travellers. I cannot but think that if this Bill gave unlimited permission for the extension of premises, the result would very probably be the same, and that improvements which were undertaken with the specious promise of providing a sort of Continental café, would result before long in a mere extension of drinking accommodation. At any rate, that was the view taken in both the Majority and Minority Report. One of the recommendations of the Majority Report ran as follows—

> "As to rebuilding and alteration of premises, the custom of submitting plans should be made statutory."

The Minority Report also recommended control of the structure.

As to games, there is a very common misconception that games are not allowed on licensed premises. Mr. Balfour fell into this error in a speech at the Albert Hall, in which he complained that people were prevented from playing dominoes in public-houses. It is a mistake to suppose that games are forbidden. It is only certain illegal games which are not permitted, and I do not imagine that the noble Lord really wishes to permit roulette tables and *petit chevaux* in public-houses. As to music, both the Majority and Minority Reports agree that it is undesirable that public music or dancing should be allowed on these premises without a licence from the licensing authority.

The example given in support of this demand is the Continental café system. It is difficult for the passing traveller to form a judgment about the effect of a thing in a foreign country, but my impression is that the great change that has taken place, at all events in France and Italy, in the last forty years is the immense growth of the drink-shop. Whereas when I was young one used to see nothing but the ordinary café, you now see as many gin palaces there as you do in England, and I think the statement that the noble Lord makes in the Memorandum to his Bill about drunkenness in France is rather contradicted by the last Report of the French Government. They say in the Volume for 1905—

> "Proceedings for drunkenness have been somewhat more numerous in 1905 than previously. It would be desirable, in the interest of public health and morality, that the *gendarmes* and police should show more activity in dealing with infractions of the law of 1903, which are in reality much more numerous than those which form the subject of proceedings. In this respect the *gardes champetres* are absolutely wanting in the necessary vigilance. We must not then find in this increase any precise indication as to the

progress of alcoholism. Everything points to the belief, in fact, that a mere fraction of those who ought to be prosecuted fall into the clutches of the law against drunkenness. In Brittany, especially, proceedings against drunkenness ought to be counted by thousands. In this region people are so constantly seen under the influence of drink that the authorities do not intervene except the offenders are in a condition which prevents them from moving or which causes public scandal. The progress of crime is closely connected, as we have several times established, with the progress of alcoholism."

Proceeding, they state that there is an increase in the number of drinking houses, in the amount of drinking, and in drunkenness, which does not seem to show that the café system saves France from the evils of which we complain, Moreover, the French Government have gone much further than our Government, although I am not aware that they are being moved by any fanatical bodies in that country. A placard on alcoholism has been published by the authority of the Government, in which they say—

> "L'alcoholisme est l'empoisonnement chronique qui résulte de l'usage habituel de l'alcool, alors meme que celui-ci ne produirait pas l'ivresse"

—very good advice, but which might be considered fanatical in this country.

Then, as to Germany, the amount consumed in the German beer gardens is phenomenal, and the very rapid growth of temperance societies of late years, taking exactly the same view of the question that is taken in England by similar bodies, seems to point to the fact that the state of things is not very satisfactory there. Once I inquired from a very eminent German doctor, who is not at all a teetotaler, as to his view on this subject, and he said—

> " The real fact is that our people can consume a great deal more drink because in the past our people have been so poor and frugal that their constitutions can bear it; but, owing to the great commercial prosperity that has fallen upon us lately, our people are drinking a great deal too much, and in a generation or two they will be as bad as yours."

But I think the English experiments are more to the point than the foreign ones. The great English experiment of this kind was the Act of 1830. In the early part of last century the restrictions of the magistrates became excessively unpopular, and the consequence was that the Act of 1830 was passed. A fortnight after it came into operation Sidney Smith wrote to say—

> " Everybody is drunk, those who are not singing are sprawling; the sovereign people is in a beastly state."

That opinion of Sidney Smith has only been confirmed, and endless trouble has been caused by the attempts to rectify that very well-intentioned mistake.

I remember hearing Mr. Gladstone giving an idyllic description of the Continental café, and the families drinking together in the open air, and so on, and how he was going to introduce this by his Budget. The noble Lord himself has expressed his opinion as to the results. Mr. Gladstone was going to produce this by giving grocers off-licences, and now the noble Lord tells us that the greater part of the drunkenness of which we now complain is caused by these off-licences. The motives that were put forward for that measure are entirely the same as those now put forward by the noble Lord. Then it is contended that the clubs have largely produced this monstrous evil. Clubs were introduced with exactly the same argument, that of giving an opportunity of enjoying rational society, and the rest of it. The late Government found it necessary to legislate on the subject of clubs, and the complaint I understand now is that there is not further legislation on that subject. I think that if this Bill were passed, giving to every publican a free right to increase his attractions, the evils that have been produced by free trade in beer, by grocers' licences, and by the drinking clubs would be magnified enormously. I believe, as the noble Lord who preceded me said, that there is not the slightest chance of this Bill becoming law, but I hope your Lordships will not, by passing the Second Reading, give any encouragement to the idea that it is desirable. I do not know what the intentions of His Majesty's Government are, but if it should be necessary I am prepared to move that the Bill be read a second time this day six months.

Amendment moved—

> "To leave out the word 'now,' in order to insert at the end the words 'this day six months.'"—*(The Earl of Carlisle.)*

THE CHANCELLOR OF THE DUCHY (Lord FITZMAURICE): My Lords, everyone who has listened to the speech of my noble friend in introducing this Bill, will, I think, so far agree with him that they sympathise with his object—namely, that of promoting temperance by means of giving facilities for the consumption of non-alcoholic liquors and the provision of opportunities for reading newspapers and for amusements such as music in connection with licensed premises. Perhaps I might also say—and I do not think the noble Lord will complain—that to a certain extent we on this side of the House look upon this discussion as a little reconnaissance in force in regard to the provisions of another Bill which we hope before long to be able to lay before your Lordships' House. But I make no complaint of that. At the same time, as we shall, very shortly, we believe, be presenting a large and important Bill touching nearly every issue connected with licensing, we feel that this discussion, even if in itself useful, can hardly be considered an adequate justification for its ending by our consenting to the Second Reading of the Bill, which forestalls discussions that will be perfectly in order when we reach, as I hope we shall reach, the Committee stage of the Government's Licensing Bill.

I cannot help saying that I think there is sometimes a little exaggeration in regard to the statement which is very frequently made that the average Englishman, especially if he belongs to the working class, has very often no choice except between going to a public-house for the purpose of recreation, which must be combined with the consumption of liquor, or of having no means of recreation at all. That is a very great exaggeration. It is an exaggeration looked at even from the strictly legal point of view, because the law provides in many ways for the encouragement of refreshment houses—that is to say, of places where accommodation can be provided for the public in regard to both eating and drinking. If anybody wants to set up an ordinary refreshment house for the consumption, let us say, of tea, coffee, gingerbeer, and harmless non-intoxicants during the day, no licence is required at all; if he, on the other hand, wishes to continue the sale of those non-alcoholic refreshments at late hours — namely, between ten o'cock at night and five o'clock in the morning—the law expressly provides that in a case of that kind he shall, no doubt, have to take out an excise licence, though not a justices' licence, but at the same time he gets a slight reduction in the sum to be paid.

Then, in addition to that, I must remind the House that it is a principle, and always has been a principle, of the common law of England that if a house is provided for the refreshment of what is popularly called man and beast—that is to say, travellers—the licence-holder of that inn is bound to provide ordinary refreshments, and a traveller can take legal proceedings against him if he refuses to do so. That is an exceedingly important provision, and not at all a mere idle declaration of law. But that ancient principle of common law, which only applied to inns mainly licensed for the reception of the travelling public, was by the Licensing Act passed by the late Government—and I desire to give them all credit for it, though I think it was not part of the original Bill as laid before Parliament, but was inserted in Committee—extended in this way. It was declared that if the licensing justices of a district refused to renew an existing licence on the ground that the holder thereof had persistently and unreasonably refused to supply at a reasonable price, suitable refreshments other than intoxicating liquors, the justices should be deemed to have refused the licence on the ground that the premises had been ill-conducted. Your Lordships know that if the justices decline upon one of four grounds, of which ill-conduct is one, to renew a licence, there is no appeal to quarter sessions, and, incidentally, the man in the long run would lose the benefit of any claim he might afterwards have for compensation. But the important immediate result is that the refusal of the justices is final. Your Lordships will see that that is an exceedingly important provision of the law. I quite admit that to a certain extent it is a new departure, that you may say it is inconsistent with what had hitherto been undoubtedly the principle upon which the whole edifice of our statutory legislation had been built up. The law on the whole might be said, to put it mildly, not to have encouraged over much the provision in licensed premises of refreshments other than intoxicating liquor. I call attention to this clause because it has an immediate and direct connection with the provisions of this Bill.

I ask myself whether, after the speech which we heard just now from the noble Earl, Lord Lytton, the final answer was not given by that speech to the Bill. Because if your Lordships will look at these different provisions you will see that if the justices could be shown in any case to have refused unreasonably the proposals of a *bona fide* applicant in regard to any of the matters mentioned in Clause 1, and more especially in regard to subsection (*a*)—

> "(*a*)The provision of accommodation for the supply of tea, coffee, cocoa, or food"

that is to say, of non-intoxicants, the justices would immediately have brought themselves into collision, not merely with the spirit, but with the letter of a clause in the Act of 1904; and it is hardly conceivable that, with the clear direction which Parliament has given, any body of justices would run the risk of trying to defeat the clearly expressed purpose of Clause 9, of the Act of 1904 by refusing a reasonable addition to, or alteration of, premises in the manner apparently contemplated as possible or likely by the noble Lord who has introduced this Bill. And I am bound to say that, as the noble Earl, Lord Lytton, pointed out, the justices, if this Bill were passed, would have rather a bad time in the future, because they would be constantly under the risk of legal proceedings being taken against them to question their decisions in Courts of law where they had, on grounds reasonable to them, refused a certain alteration or addition.

But, in addition to that, there are some especial points of detail which are alarming. There can be no doubt that it is quite reasonable on the part of the police and of justices to be very careful about permitting alterations in licensed premises giving back or side entrances. The police, for obvious reasons, desire to be able to supervise these premises, and are very careful in calling the attention of the justices to any additional facilities for back or side entrances, because it makes the control of these places far more difficult and expensive from a police point of view. Let me suppose that under the Act of 1904 plans had been deposited, and this question arose about back and side entrances. I think the noble Lord will see that it would be very easy for a clever applicant who was well advised to declare that this back or side entrance was required to give more light and air, that it was wanted for sanitary accommodation, that it was also wanted, perhaps, to make the place more airy, clear, and so on. All these questions would tend to great litigation, and I cannot help thinking that, therefore, for the reasons stated by the noble Earl, Lord Lytton, the task of the justices would be rendered exceedingly difficult were this Bill to become part of the law of the land.

I would suggest to the noble Lord who has brought in the Bill that he should wait until he sees the Government Bill in the shape in which it will reach this House. There are clauses in it, so far as I know—I am not speaking with such minute knowledge of the Bill as I ought to possess—on which the noble Lord would not be out of order in raising the questions which he desires to raise, namely, what are the conditions to be upon which justices may or may not sanction alterations. But to ask this House to read and eventually to pass and send down to the House of Commons in the present session a Bill, if I may say so, drafted rather in haste, and which to secure its object would require very large alteration, would be asking us to enter upon a vain and useless task. I, therefore, hope the noble Lord will be satisfied with the discussion he has raised, and will see that the best course is to allow the question he desires to deal with to wait until we lay our proposals before your Lordships' House.

THE MARQUESS OF SALISBURY: My Lords, my noble friend who has just sat down expressed, at the commencement of his observations, a general approval of the objects which my noble friend who sits behind me had in view in introducing this Bill. I think my noble friend would have been more satisfied, and your Lordships would have been more satisfied, if the noble Lord had supplemented this general approval with some indication that the Government, if they are not willing to accept his proposal, are prepared themselves to make some change in the law with the object of carrying out those intentions. What is the good, if I may say so with great respect to my noble friend opposite—what is the good of this barren approval of the principles of my noble friend's measure if the Government are themselves not prepared to take advantage of the opportunity which my noble friend has given them in order to announce what their policy in this matter is?

The noble Lord referred to the possibility in the future of another measure of importance on the licensing question coming before your Lordships. I should have expected him to have said that when that Bill reaches this House the Government will be prepared to submit proposals upon the lines which they approve to carry out the intentions of my noble friend who has introduced this Bill, for they have themselves announced that they approve of the objects of the Bill. That, I think, is unsatisfactory in the reply of the Government, because they have to meet a real case. I do not pretend to be familiar with the facts myself, but I listened with attention to what my noble friend laid before your Lordships. He brought forward a series of instances for which he vouched, which showed that in certain parts of the country magistrates were using their licensing power in order to prevent what may be called the reform of public-houses. He instanced several cases, including one of the principal cities in this country, in which that policy appears to be pursued. I do not myself know of this from my own knowledge; I merely take it from my noble friend's speech. If that is the case, that is a very unsatisfactory state of affairs.

The noble Lord the Chancellor of the Duchy said just now that the policy of Parliament, as shown in the Act of 1904 was, at any rate in one of these particulars, quite evident. There was a provision which he read to your Lordships, the object of which was to give increased power to justices to insist on reasonable refreshment being given at public-houses. That was evidently the policy of Parliament of that day, and, as I judge from the speech of the noble Lord the Chancellor of the Duchy, the policy of His Majesty's present advisers. That being the intention of Parliament, my noble friend behind me comes to your Lordships' House and shows that in certain important centres, so far from this intention of Parliament being carried out, the magistrates have gone about to some extent to thwart it and to prevent the reform of public-houses. Unless those facts can be controverted, then I say we are entitled to a more complete answer from the Government as to whether they intend to take any steps to see that this intention of Parliament, of which they approve, should be carried into effect.

The drafting of the Bill has been criticised by the noble Lord the Chancellor of the Duchy. I daresay that in some respects it is not perfect. That is a feature which is not peculiar to this Bill; I think I have had occasion to say it with respect to many Government Bills. Indeed, if all rumours are true which reach my ear, the drafting of a certain important Bill on the licensing question now before the other House is open to serious criticism by those whose business it is for the present to criticise it. Therefore, I do not think that is a very heavy charge to bring against my noble friend. That may, of course, govern the further progress of the Bill at a later stage, if it reaches a later stage, but it is not a serious matter in itself at this stage.

The question as to whether magistrates would be hampered in the exercise of their functions by the words in the Bill has, I think, been exaggerated by the noble Lord the Chancellor of the Duchy; but if the words are not sufficiently clear and sufficiently guarded, that is a matter which could be set right hereafter. The real policy of this Bill, the essential principle of it, is to remedy the present degraded condition of many of the public-houses in this country, and I cannot but believe that that must command the universal support of your Lordships' House. That is undoubtedly a policy, which, however difficult to achieve, ought to be achieved if it be possible. The condition of things in many public-houses now may be described by the old phrase of giving a dog a bad name and hanging him. They are treated with such disrespect, they are hampered in their efforts for reform so much, that they become disreputable; they are not then open to the influences of the best public opinion among the working classes in the country, and they sink from depth to depth. It is with the object of trying to remedy that state of things that this Bill has been introduced.

May I say one word as to the policy of the late Government when they were in office? I had something to do with the passing of the Licensing Act of 1904 through this House, and I remember we dwelt with great emphasis on the opportunity which that Act afforded of raising the *status* of public-houses. The predecessor of my noble friend Lord Lytton, who has addressed us with so much effect to-night, in the Public-House Trust Company is the present Governor-General of Canada. He took part in the debates of 1904, and was very anxious on behalf of the Public-House Trust. He pointed out that the provisions of the Act of 1904, if properly used, might help the Public-House Trust in a very remarkable degree. I say that in order to show how anxious we were at that time to help forward this movement for the reform of the public-house. It is quite true, I am sorry to say, that in practice it has not been used by licensing justices for this purpose. That may have been owing to faulty drafting, or it may be due to some other cause, but the intention was there, and we may claim, to some extent, at any rate, to be the forerunners of my noble friend Lord Lamington in the policy of this Bill. After these observations your Lordships will not be surprised if I say that for my part, and I believe I speak for those who sit near me, we should be glad if the principle, at any rate, of this Bill could be affirmed.

THE LORD CHANCELLOR (Lord LOREBURN): My Lords, I have always taken a deep interest in this subject, and, therefore, ask leave to say a few words upon this Bill. With the general object stated by the noble Lord, my noble friend the Chancellor of the Duchy has indicated assent—namely, that public-houses should not be restricted merely to drinking shops. But the noble Marquess is a little mistaken in thinking the objections to the Bill are merely questions of drafting. Will your Lordships allow me to point out what this Bill really does?

The Bill, in the first place, enables any publican to require any extension of his public-house; practically that is what it comes to. The publican may say: "I want a much larger area for my licensed premises; when I have got it I can do what I like with it." And if asked why, he might say: "I should like my place more airy." If he said that, the licensing justices could not refuse the extension. If he said he wanted more room to supply tea, while he is not obliged to supply tea, he would get a large extension of area. If he said: "I would like chairs and tables instead of bar accommodation, and for that purpose I want an extension of premises," it could not be refused. Therefore, by the framework and scheme of the Bill, and not merely by its drafting, any publican could claim practically any extension of his premises, and when he had got it there is nothing in the Bill to prevent him using it for the sale of liquor. That is the first result.

The second result of the Bill is that the publican would be entitled to enlist in support of his selling of liquor any kind of game, garden, newspaper, music, or any means of reasonable recreation. I can understand that if you have a music hall you might, as an ancillary convenience, allow the sale of liquor; but this Bill would allow the music hall to be ancillary to the public-house, and all these methods of recreation are to help to induce people to go into the public-house for the purpose of obtaining entertainment and recreation, whereas the real object would be to further the sale of drink. No doubt the noble Lord who introduced the Bill in a speech marked by great moderation, and with a great deal of the matter of which a good many of us would agree, did not contemplate such a result as that.

*THE MARQUESS OF LANSDOWNE: My Lords, I venture to think that the large majority of this House are, at any rate, of one opinion up to this point, that we are grateful to my noble friend behind me for having initiated a very interesting discussion upon an extremely important question. His Bill has been criticised in no unfriendly spirit, but still criticised with considerable force. Some of those criticisms are of a more or less technical character, and after listening to the speech of the noble and learned Lord on the Woolsack, I am bound to say that those objections, if they can be described as technical, are certainly not objections of a kind which this House could venture to regard lightly.

The noble and learned Lord, speaking with all the authority which belongs to his position in this House, has in effect warned us that if this Bill were to pass into law in its present form, very inconvenient consequences might arise. He has warned us that it would work, not by any means, I take it, as its promoters intend it to work, but in a very different manner, and although I certainly should hesitate to offer criticism of a legal or technical character, I am bound to say that the Bill does strike me as open to this objection, that not only might it afford to publicans a pretext for sheltering themselves behind the provisions of this Bill in order to push their trade in intoxicating liquors, but that also the Bill, as we have it, really suggests that the existing law is in a condition in which, speaking as a humble layman, I cannot believe that it really stands.

If the Bill is correct, then we must infer that under the existing law it is open to the justices, when granting permission for structural alterations of licensed premises, to impose conditions of a kind which would prevent the premises or any part of them being made more open, clear, or better ventilated. Now, I cannot believe that the present law is exactly in that position. Or, again, that it is open to the justices to impose conditions which would prevent the improvement or enlargement of the sanitary accommodation of a public-house. Those seem to me to be very far-fetched and rather dangerous implications; and when we are told, as we are told, in the explanatory Memorandum which is attached to the Bill, that the owner or licensee is strictly and systematically debarred from improving his premises in these ways, again I say I should be very sorry to be a party to legislation which assumed that the existing law produced those effects.

But when I pass from these more or less technical aspects of the case, I am bound to say that, so far as the principle upon which my noble friend founds himself is concerned, I am entirely in sympathy with him. I think my noble friend has pointed the way to-night towards a path of temperance reform which we are much too apt to neglect, and it is a path which I hope, after what has been said from the front bench opposite, His Majesty's Government will not altogether disregard when they come to deal with this most important question. I do not think it is an exaggeration to say that at the present time the tendency is a great deal too much in the direction of promoting or attempting to promote temperance reform in the first place by harsh treatment of those who are engaged in the licensing trade, and, in the second place, by making the consumer of intoxicating liquors as uncomfortable as you can possibly make him. That I believe to be an altogether mistaken policy, and it is a policy which, as my noble friend pointed out, is bound to have the effect of driving those people who cannot get on without consuming a certain amount of liquor towards secret drinking and towards the frequentation of clubs in which drinking is carried on without any of the precautions which we should all of us like to attach to it.

My noble friend's policy is, I think, a very much sounder one. It is a policy directed, as I understand it, to what may be called the reclamation of the public-house. It desires to improve the environments in which alcoholic drinks are consumed, and so to arrange things that the conditions which surround the consumers shall be of a much more decent and reputable character than those to be found at present in a great many public-houses. That is a sound principle, and I hope, the approval which I understood was extended to it by noble Lords opposite will not be, as my noble friend said, merely a barren approval, but that they will bear in mind, when dealing with the question, that there is this other aspect of it to which, in our opinion, too much attention cannot be paid. Before sitting down I would suggest to my noble friend, particularly after the speech delivered by the noble and learned Lord on the Woolsack, that it might be better for him to be content with this discussion and not to put the House to the trouble of a division. I should be extremely sorry to vote against him, but, after listening to the arguments of the noble and learned Lord, I cannot vote for the Bill as it stands.

*LORD LAMINGTON: My Lords, in reply to the general discussion I must first disclaim any intention of making this a kind of preliminary campaign in regard to the Government's general measure on the subject of licensing. The Government's Bill never entered into my consideration at all, and it seems to me that this measure does not conflict in any way with that Bill. I confess I should like, as a matter of principle, to divide the House on the Motion for the Second Reading; but, after listening to the speech of the noble Marquess on the front Opposition bench, I feel that there would be absolutely no use in my putting the House to that trouble. I understand that the noble Marquess has been chiefly guided in the advice he has given me by the words of the noble and learned Lord on the Woolsack. I may be wrong, but I should have thought that the answer to the noble and learned Lord's strictures was that if the publican, having got this extension of premises for the purpose of improving the accommodation, then devoted it to the serving of alcoholic drink, the magistrates could refuse a renewal of the licence the following year.

THE LORD CHANCELLOR: That is not one of the grounds on which they could do so.

*LORD LAMINGTON: But if the publican provides small tables and chairs and instead of serving tea serves a glass of beer, I cannot see that any great harm is done. The noble Earl on the cross benches stated that games can now be played in public-houses. It is true that they may be played, but no accommodation is provided for playing them. The whole point is that there is no proper accommodation for indulging in this lawful and innocent recreation. Again, it is said that licence-holders are bound to provide food. It is no use providing food if you do not allow people to take that food under decent conditions and in pleasant surroundings. The whole crux of the question depends on the provision of proper accommodation, and I should have thought it would have been perfectly possible to have given an injunction against magistrates wilfully refusing to sanction the provision of accommodation which would meet the convenience of the general public. In view, however, of the statement of the noble Marquess, and also of the opinion expressed by the noble and learned Lord on the Woolsack, I withdraw my Motion for the Second Reading.

THE EARL OF CARLISLE: I also withdraw my Amendment.

Motion and Amendment, by leave, withdrawn.

HOUSING OF THE WORKING CLASSES (IRELAND) BILL.

Amendments reported (according to order).

LORD DENMAN, who had an Amendment to Clause 6 (Orders of Local Government Board to have effect of Act), reminded the House that the clause was amended in Committee on a division, and said the Government declined to accept any responsibility for the clause as it now stood. But, if the Bill were to pass into law in its present shape, an alteration was necessary to subsection (4) of Clause 6. This subsection enabled the Local Government Board to modify an order if the order was petitioned against. Two classes of order were mentioned in the subsection, which was copied straight from the Act of 1903; but if the noble Viscount, Lord Midleton, would look at the beginning of Clause 6, he would see that there were three classes of order mentioned. He did not think it was the noble Viscount's intention to omit the third class of order. Therefore, if the words proposed in his (Lord Denman's) Amendment were inserted, the third class of order would be covered.

Amendment moved—

"In page 5, lines 22 and 23, to leave out the words 'under subsection (4) of Section 8 or under Section 39 of the Act of 1890,' and to insert the words 'of the Local Government Board.'"—(*Lord Denman.*)

VISCOUNT MIDLETON accepted the Amendment.

On Question, Amendment agreed to.

LORD DENMAN moved, in Clause 7, to leave out the words "local authority," and to insert the words "any urban or rural district council." He explained that the question arose on an Amendment moved in Committee by the Earl of Pembroke and Montgomery to prevent local authorities going outside their own area. At the instance of Lord Lansdowne, words were inserted in Committee which prevented a local authority going outside its own area unless it obtained the assent of the adjacent local authority. His (Lord Denman's) own view at the time was that, as the clause in the Bill was copied direct from the English Act, which had been found to work well, it might have been allowed to remain as it stood. The Committee, however, thought otherwise. In the Amendment inserted on the Motion of Lord Lansdowne two words required alteration. The noble Marquess inserted the words "local authority" within whose district it was proposed to establish or acquire such lodging-houses. For the purpose of this Bill the term "local authority" excluded a rural district council. He did not imagine that it was proposed to prevent a local authority going into the area of a rural district council, if it obtained the consent of that rural district council, and he therefore moved to leave out the words "local authority," and to insert in their place "any urban or rural district council."

Amendment moved—

"In page 6, line 8, to leave out the words 'local authority,' and to insert the words 'any urban or rural district council.'"—(*Lord Denman.*)

LORD ASHBOURNE said that his noble friend Lord Pembroke, in moving the Amendment in Committee, had in mind chiefly the particular townships in the neighbourhood of Dublin, such as Rathmines and Pembroke. Would the substitution of the words proposed have any effect as regards the inclusion or exclusion of those townships.

LORD DENMAN replied that the Amendment would not, in his opinion affect those townships at all.

*THE EARL OF PEMBROKE AND MONTGOMERY pointed out that the term "local authority" was used all through the Bill. It therefore passed his comprehension why the term should be charged in one subsection to "urban or rural district council."

LORD DENMAN presumed that in the other cases mentioned in the Bill it was not necessary to include a rural district council under local authorities.

On Question, Amendment agreed to.

LORD DENMAN thought it might be convenient, in moving his Amendment to Clause 9 (Amendment of law as to closing and demolition orders) to discuss also the Amendment which Lord Clonbrock had on the Paper. Lord Clonbrock's Amendment removed the necessity of serving a preliminary notice before applying for a closing order. That was not quite the same thing as was dealt with under Clause 9 of the Bill. The difficulty they had to meet was the delay in getting a demolition order. Under the Act of 1890 the order was made by the local authority. In the clause of the Bill as it now stood they proposed that this power should not be given to the local authority, but to the Court. The first Amendment standing in his name on the Paper, and which he now moved, was to insert after the word "Court" the words "in addition to or instead of making an order under that section." That made it clear that the Court had the option of making the closing order or of making a demolition order. He gathered from what was said in the Committee stage that Lord Clonbrock was of opinion that the power of making a demolition order should not be given to a local authority for fear it might abuse its power. The power was not given to the local authority at all; it was given to the Court. Therefore he thought that met the noble Lord's point. He took it that the noble Lord was at one with the Government in wishing that the proceedings under previous Acts of Parliament for demolishing unsightly and unsatisfactory buildings should be accelerated.

Amendment moved—

"In page 6, line 41, after the word 'Court' to insert the words 'in addition to or instead of making an order under that section.'"—(*Lord Denman.*)

LORD CLONBROCK, who had given notice of an Amendment to leave out clause 9 and to insert as a new clause—

"9. (1) If, in the opinion of the local authority, any dwelling house is not reasonably capable of being made fit for human habitation, or is in such a state that the occupation thereof should be immediately discontinued, it shall not be necessary for them, before obtaining a closing order, to serve a notice on the owner or occupier of the premises to abate the nuisance, and a justice may issue a summons for a closing order, and a closing order may be granted, although such a notice has not been served. (2) The Local Government Board may by order prescribe forms in substitution for those in the Fourth Schedule to the Act of 1890, and Section 32 of that Act shall have effect as if the forms so prescribed were referred to therein in lieu of the forms in that schedule"

agreed with Lord Denman as to the convenience of discussing his (Lord Clonbrock's) Amendment in connection with the one now before the House. His object was to assimilate the law in Ireland under this Bill to that in England, namely, to separate the two questions of closing and demolition. He was informed that in this country a local authority made an application for a closing order and that was adjudicated upon by the justices; then an application was made, if necessary, for demolition, and that was treated in the same way. He thought it would be a better and more businesslike way that each order should be preceded by a separate application. In the Bill as it stood an application made for closure might be immediately followed by a demolition order, and he thought that might be hard on the owner, who would have received no notice of the application for the demolition order but only of one for a closing order. He did not in the least wish to perpetuate unsightly and insanitary buildings. He would like to see them all pulled down and carted away and proper workmen's dwellings erected in their place; but he did not see that there was such a violent hurry that there should not be two separate procedures.

LORD ASHBOURNE was disposed to think that the object which the Government and his noble friend Lord Clonbrock had in view were practically identical. There was no desire to place any difficulty in the way of demolition. The point was a technical difference as to procedure. He thought the method proposed by the Government was not inconvenient. The Government's object appeared to be to avoid the necessity of a double set of summonses and a double set of proceedings. It was not desirable in small cases of this kind to duplicate legal proceedings. If the Government's Amendment to the original clause were made, he gathered that the result would be that the whole case would be before the magistrates. If the magistrates thought that a case had been made out for a demolition order they would make it, and would append a condition that the house need not be demolished if within a time named it was made habitable. Then there would not be demolition, because the person in charge of the house had made it habitable. He did not think that was inconveniently worked out by the Amendments on the Paper in the name of Lord Denman.

LORD FITZMAURICE said that in reality, if the clause and the Government's Amendments to it were adopted, Ireland would be placed in a more favourable position than England in regard to this provision. He would be glad if the facility of procedure which would be possible under this clause could be extended to England in a future session.

On Question, Amendment agreed to.

Drafting Amendments agreed to.

Lord CLONBROCK intimated that he would not move his Amendment.

Lord ATKINSON had an Amendment on the Paper to amend Clause 11—

> "For the purposes of the Housing of the Working Classes Acts Section 72 of the Lands Clauses Consolidation Act, 1845, as amended by the Second Schedule to the Act of 1890, shall have effect as if 'one hundred pounds' were substituted therein for 'twenty pounds.'"—

by leaving out "one hundred" and inserting "sixty," and by adding at the end of the clause the following proviso—

> "Provided that the aggregate of such sums payable under the seventieth section of the first-mentioned statute as amended as aforesaid, and by this Act, to any one or more of the persons mentioned therein as the purchase money of different portions of lands of which land he, she, or they, shall not at the time of such purchase be tenants or tenants in fee, shall not exceed £250."

The noble and learned Lord said that the clause on the Paper was hurriedly drafted, and he was not satisfied with it. He therefore proposed to bring up a clause on Third Reading carrying out his object.

The Earl of MEATH said it would be in the recollection of the House that, when the Bill was discussed in Committee, he moved an Amendment in Clause 12, which their Lordships accepted, for the purpose of safeguarding open spaces. In that Amendment he used the word "Act," but His Majesty's Government, at the last moment, suggested that the word "section" should be substituted. Although his own private opinion at the time was that this would be a very important weakening of the Amendment, he did not like, on his own authority, to question the decision of the Committee, as nobody opposed the substitution; but he afterwards had an opportunity of discussing the point with the noble and learned Lord the ex-Lord Chancellor of Ireland, and Lord Ashbourne encouraged him to put down the Amendment now standing in his name on the Paper, reinstating the word "Act." He did not think His Majesty's Government quite realised what the effect would be of substituting "section" for "Act." The proviso to Clause 12 as it now stood provided that nothing in the section should authorise the appropriation of any common land, recreation ground, or other public open space, etc., for the purposes of the Bill. Clause 16 provided that the Bill should be read as one with, among other Acts, the Housing of the Working Classes Act, 1890, which gave compulsory powers to local bodies, for which it was not necessary to obtain Parliamentary sanction. He therefore proposed to substitute the word "Act" for the word "section," so as to make the proviso apply to the whole Bill. If the word "section" were left in these bodies would be able to acquire land compulsorily under the Act of 1890.

Amendment moved—

> "In page 7, line 39, to leave out the word 'section' and to insert the word 'Act.'"—(*The Earl of Meath.*)

Lord DENMAN expressed regret that the noble Earl had been encouraged by the noble and learned Lord opposite to put down this Amendment, because it was one to which the Government could not assent. He could assure the noble Earl that the Government quite realised the difference between "section" and "Act" as applied in this particular clause. The noble Earl appeared to fear the compulsory powers given in other parts of the Bill, but as the Bill stood now, it did not give any compulsory powers at all which were not already given under the Act of 1890. Under that Act every local authority had power to acquire land compulsorily for the purposes of the Act, but before exercising these powers it must obtain the sanction of a Provisional Order of the Local Government Board, which had to be confirmed by Parliament. By Clause 6 of the Bill it was originally proposed to dispense with the necessity of going to Parliament. However, on an Amendment moved by the noble Viscount opposite, Lord Midleton, that particular power was taken away, and it would still be necessary for the Provisional Order to come before Parliament after receiving the assent of the Local Government Board in Ireland. Clause 12 conferred a new power upon bodies corporate for appropriating land for the housing of the working classes, and the noble Earl's original Amendment was intended to be restrictive of this new power, and therefore should be confined to the section conferring that power. He was informed by the legal adviser at the Irish Office that it would be, in his opinion, extremely dangerous if the word "Act" were substituted for the word "section." He thought the serious result that might ensue from the adoption of the noble Lord's Amendment would be not only to restrict considerably the powers conferred by this Bill, but also to restrict the powers already given under the Act of 1890.

LORD ASHBOURNE said the Amendment which had the approval of the Committee contained the word "Act," and the word "section" was substituted hastily under the impression that it was only a drafting Amendment. Further consideration had convinced him that the Amendment was necessary to protect common land, recreation grounds, and public open spaces from encroachment.

THE LORD PRIVY SEAL AND SECRETARY OF STATE FOR THE COLONIES (The Earl of CREWE): My Lords, I am not quite sure that I follow the argument of the noble and learned Lord who has just sat down. He seems to think that by some means or other if this word "section" is retained, some person or persons will have power to devote public recreation grounds and other plots of land of a similar character to building schemes. Surely that is not the case. All that the substitution of the word "section" for "Act" did, as I understand, was to place the law in Ireland in the position in which it is left by the Act of 1890. By that Act it would, no doubt, be possible for a local authority to ask for a Provisional Order to use part of its open spaces for a housing scheme. For all I know it may actually have been done. That has to come before the Local Government Board, and, if they grant a Provisional Order for that purpose, the Order has to be presented to Parliament. You cannot do more than bring a scheme of that kind before Parliament. That is perfectly obvious, and that is the safeguard which is provided for recreation grounds and similar places under the English law. The effect of inserting the word "section" is to leave the matter in that form. If you substitute the word "Act," as I understand, you place these recreation grounds in Ireland in a different position from that in which they are under the Act of 1890. It may be, as an abstract question, a good thing to do; but you are altering the main Act which deals with these matters. Clause 12 deals with an entirely different matter. It deals with the powers of bodies corporate to apply land for a particular purpose, and when we welcomed the Amendment of the noble Earl on the cross benches we expressed a general welcome to the principle of his Amendment; but, in saying we thought it was a good thing that the particular operations of Clause 12 should be limited in this way, we certainly did not bind ourselves to approving every word of the Amendment, and we certainly did not bind ourselves to modify the law as it exists under the Act of 1890. I therefore hope the noble Earl will not press his Amendment.

THE EARL OF MEATH persisted in his Amendment and said he should press it to a division if he received any encouragement. He was very grateful to Lord Denman for having drawn the attention of the House to the fact that it was the intention of the Government that burial grounds should be built over for workmen's dwellings when local authorities so desired, and that it could be done by the Act of 1890. During the Committee stage he (Lord Meath) had pointed out that in six separate Acts of Parliament the Legislature had said that it did not desire to have open spaces built over, and if by the Act of 1890 this could be done it was an oversight which Parliament did not intend. If that was so, it was better to take the bull by the horns at once. They had learned that day that there was the intention on the part of the Government to sanction the use of open spaces for workmen's dwellings when local authorities so desired.

THE EARL OF CREWE: May I ask how the noble Earl arrives at that inference?

THE EARL OF MEATH: Of course, if the noble Earl tells me I am mistaken I bow to his decision. I certainly understood that that was so from what was said.

*THE MARQUESS OF LANSDOWNE: I am very anxious not to misunderstand the position taken by His Majesty's Government. I understood the other evening that the policy which found favour with your Lordships was that of affording the utmost amount of protection to commons, recreation grounds, village greens, and so forth, and that we desired that lands of that particular kind should not be encroached upon for the purpose of providing improved housing accommodation for the working classes. We accordingly proposed that this subsection should ensure that nothing in this Act should give increased facilities for encroachments of that kind. We are now asked to be content with the word "section" instead of the word "Act." If the word "section" is to stand, then surely we fall back upon the earlier clause—Clause 6—of the Bill, in which we find that an Order of the Local Government Board authorising the acquisition of land for the purposes of Part III.—Part III. deals with the provision of workmen's lodging houses—shall, notwithstanding anything in the Act of 1890 or any other Acts, take effect without confirmation by Parliament or by the Local Government Board. If those words are really to govern all cases of this kind in the future, does it not mean that we give to the Local Government Board an absolute right of dealing with these commons and vacant spaces in a manner which I should have thought was entirely opposed to the general desire of the House?

On Question, Amendment agreed to.

LORD DENMAN had an Amendment on the Paper to amend the same subsection—subsection (4) Clause 12—by removing the restriction on local authorities to appropriate or utilise for the purposes of the Act lands held by them "for public or charitable purposes," but after what had just occurred he was not quite sure whether it was worth while moving the Amendment. He mentioned that these words were inserted in Committee on the Motion of the Earl of Pembroke, and were only agreed to by the Government subject to further consideration. The Government had now come to the conclusion that if the words were allowed to stand they would prevent local authorities from using any land in their possession for providing workmen's dwellings.

*THE EARL OF PEMBROKE AND MONTGOMERY said he was willing to agree to the omission of the word "public" so that any lands held by a local authority other than for charitable purposes might be used for the purposes of the Act.

LORD ATKINSON agreed with Lord Denman that if the word "public" were left in it would prevent a local authority from appropriating any land held by them for the purpose of erecting workmen's dwellings, because, presumably, all land held by a local authority was held for a public purpose. He suggested that on the Third Reading some words might be devised to prevent the use of lands held for a definite and specific public purpose, which was the only object aimed at. He thought some such words as these would meet the case—

> "Or held in trust for a charitable purpose or for some particular public purpose specified or defined as distinct from the general purpose of the municipality or district or the general benefit of its inhabitants."

LORD FITZMAURICE said the object of the subsection which was inserted on the Motion of the Earl of Meath was to protect open spaces from being utilised for the provision of workmen's cottages; and the addition of the words "public or charitable purposes," went far beyond that object, and would be a serious restriction on local authorities in putting the Act into operation. Therefore he hoped, even if they could not arrive at agreement now, that the suggestion of the noble and learned Lord, Lord Atkinson, would be adopted, and the matter further considered on Third Reading.

THE LORD CHANCELLOR: I would point out that there is no Amendment before the House. Informal conversation is very often useful at such a stage as this, but I would call attention to the fact that there is no Amendment before us.

LORD DENMAN then moved the Amendment standing in his name on the Paper.

Amendment moved—

"'In page 8, lines 4 and 5, to leave out the words 'or held for public or charitable purposes.'"—(*Lord Denman.*)

*THE EARL OF PEMBROKE AND MONTGOMERY reminded the noble Lord that he had expressed his willingness to agree to the omission of the word "public." He hoped the Government would accept that. But he could not consent to leave out words the insertion of which was the principal object of his original Amendment—namely, the words "or charitable purposes."

LORD DENMAN thought it would, perhaps, be better if the matter were discussed again on Third Reading. He would, therefore, withdraw his Amendment at this stage.

Amendment, by leave, withdrawn.

VISCOUNT MIDLETON moved to amend Clause 14 by restricting the application of the Act to towns the population of which exceeded 2,000. They were, by this Bill, applying a number of provisions which might be absolutely useful and proper in the case of large manufacturing centres, but which were really inapplicable to small districts which in Ireland were regarded as towns, but which in fact were really villages. Under the Bill the rates of a particular district might be pledged for eighty years, and the limit of borrowing power laid down by Parliament for all other purposes might be exceeded; land might be taken outside the district on the security of the rates inside the district and might be let to companies or societies for this purpose. So far as small districts were concerned the matter was on a different footing from the case of great manufacturing towns, where these provisions might be necessary and desirable. A population of 2,000 in an Irish town very often meant not more than 300 or 350 houses, and that number of votes elected the town commissioners. They all knew that the number of illiterate voters in Ireland was large, and it was obvious that the class of men appointed town commissioners in these places could not be a very exalted one. Yet they were to have power, by adopting the provisions of this Bill, to load the rates for a considerable number of years. There were between 100 and 120 towns in Ireland, and of those only about one-sixth would be cut out by the limitation in his Amendment. He would have placed the limitation higher, but he desired to make as small an exception as possible.

Amendment moved—

"In page 8, line 9, after '1890,' to insert the words 'of any town the population of which, according to the last census, exceeds 2,000.'"—(*Viscount Midleton.*)

LORD DENMAN said the Government were unable to assent to this Amendment. In their view such an arbitrary limit would cut out a number of towns which it was essential should come under the Bill. Though he did not say it was at all conclusive, the Return presented to their Lordships' House on the Motion of Lord Mayo giving the indebtedness of towns in Ireland showed that the small towns were in a much better position than the large towns as regarded their indebtedness. It appeared from the Return that the small towns in a great many cases had borrowed nothing at all, and in others they had not gone nearly up to the statutory limit; whereas with regard to large towns the reverse was often the case. Therefore he failed to see that the small towns would not be perfectly fitted to administer the Act.

THE EARL OF DONOUGHMORE hoped his noble friend would persevere with his Amendment, which was really of a very moderate character. As the noble Viscount had said, a town of 2,000 inhabitants would have, roughly, from 300 to 350 houses. Towns of that kind in Ireland were nearly always spread over a very large area, and therefore these facilities were not required. There were only twenty-four small towns which this Amendment would exclude. Therefore this was not an Amendment that would cut the heart, so to speak, out of the Bill. If he might descend into language which

Englishmen generally described as Irish, he would say that the Amendment did very little more than cut out twenty-four towns which were not towns at all. He would give their Lordships three examples. The town of Aughnacloy, in Tyrone, had 574 inhabitants and was spread over 156 acres; there were, therefore, about five inhabitants to the acre. Where was the necessity in that district for this Bill? Then there was the town of Bagenalstown, in County Carlow. This town had 882 inhabitants, spread over 744 acres. The town of Granard, in County Longford, had a population of 1,622, which worked out at an acre and a quarter per inhabitant. There could be no object in extending this Bill to such rural districts.

LORD DENMAN asked their Lordships to look at the particular clause of the Bill and see the effect of the Amendment. Clause 14 enabled towns to adopt Part II. of the Act of 1890, in the same way that they could already adopt Part III. Part III. applied to the erection of workmen's dwellings, and Part II., he thought he was right in saying, applied to the demolition of those dwellings. Therefore what the House would be saying to these towns, if the Amendment were adopted, would be that because their population was below 2,000, although they might erect workmen's dwellings they might not demolish them. That really was the effect of the noble Viscount's Amendment, and he thought it was rather difficult logically to defend that position.

*THE MARQUESS OF LANSDOWNE: I should have thought that the main argument in favour of my noble friend's Amendment was to be found upon the face of the Bill. The Bill is intituled—

> "An Act to provide further facilities for the erection of houses for the working classes in cities and towns in Ireland."

What my noble friend says—and I think with truth— is that these smaller places cannot by any stretch of language be described as "cities" or "towns." They really are villages inhabited by an agricultural population scattered over a very wide surface, and differing *toto cœlo* from urban population. In this case I am bound to say that it seems to me to be a complete misnomer to speak of a village which may have 300 or 350 houses as a city or town, and as entitled to the same kind of treatment as we are affording to larger cities and towns under this Bill.

THE EARL OF CREWE: This is one of those cases where a limitation of figures is suggested and where it is always possible to find instances which suggest that some other figure ought to be named. We are familiar with that in a great many different connections, and it is perfectly possible, no doubt, as Lord Donoughmore did, to point out cases in which the provisions of this Act might not apply. On the other hand, nobody has stated that there are not places under the 2,000 limit in which some of these provisions might very usefully be applied. It is true the term "town commissioners" is, in a sense, an arbitrary one, and I am willing to admit that the provision does in certain cases apply to places which are not towns; but it has not by any means been made clear to me that there are not places under the 2,000 limit where the demolition of buildings and the erection of others might not very usefully be applied even by those very small communities. There will be, no doubt, cases in which the Act will not be applied, but that does not constitute any particular hardship or grievance. It has not been suggested that attempts will be made to apply the Act improperly in these small places. Under these circumstances, and in view of the extreme difficulty of arriving at any dividing line other than that in the Bill, I am afraid we must continue to oppose the Amendment of the noble Viscount.

On Question, whether the words proposed should stand part of the Clause,

Their Lordships divided:—Contents, 35; Not-contents, 24.

CONTENTS.

Lansdowne, M.
Salisbury, M.
The Earl of Donoughmore.

Camperdown, E.
Cawdor, E.

Dartrey, E.
Pembroke and Montgomery, E.

Waldegrave, E. [*Teller.*]
Westmeath, E.
Wicklow, E.

Hood, V.
Hutchinson, V. (*E. Donoughmore*).

Addington, L.
Ashbourne, L.
Atkinson, L.
Avebury, L.
Belhaven and Stenton, L.
Brodrick, L. (*V. Midleton.*)
Chaworth, L. (*E. Meath.*)
Clifford of Chudleigh, L.
Clonbrock, L.
Dunboyne, L.
Ellenborough, L.
Hindlip, L.
Inchiquin, L.
Lamington, L.
Lawrence, L. [*Teller.*]
Oranmore and Browne, L.
Sanderson, L.
Shute, L. (*V. Barrington.*)
Silchester, L. (*E. Longford.*)
Somerhill, L. (*M. Clanricarde.*)
Stanmore, L.
Waleran, L.
Wemyss, L. (*E. Wemyss.*)
Zouche of Haryngworth, L.

NOT-CONTENTS.

Loreburn, L. (*L. Chancellor.*)

Wolverhampton, V. (*L. President.*)

Crewe, E. (*L. Privy Seal.*)

Beauchamp, E. (*L. Steward.*)
Carrington, E.
Craven, E.
Althorp, V. (*L. Chamberlain.*)

Allendale, L.
Armitstead, L.
Colebrooke, L. [*Teller.*]
Courtney of Penwith, L.
Denman, L. [*Teller.*]
Fitzmaurice, L.
Glantawe, L.
Hamilton, of Dalzell, L.
Herschell, L.
Lucas, L.
Lyveden, L.
Marchamley, L.
O'Hagan, L.
Saye and Sele, L.
Shuttleworth, L.
Stewart of Garlies, L. (*E. Galloway.*)
Welby, L.

Drafting Amendments agreed to.

VISCOUNT MIDLETON moved the insertion of a clause defining the expression "working classes." He said he had altered the definition since the Committee stage in order to bring it into consonance with the Act of 1903.

Amendment moved—

"In page 9, line 10, after '1878,' to insert the words 'The expression "working classes" shall 'include mechanics, artisans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages but working at some trade or handicraft without employing others except members of their own family, and persons other than domestic servants, whose income in any case does not exceed an average of thirty shillings a week, and the families of any of such persons who may be residing with them.' "—(*Viscount Midleton.*)

LORD DENMAN said the Government did not really see the necessity for the definition, but he would not oppose the insertion of the clause as now moved by the noble Viscount.

On Question, Amendment agreed to.

Bill to be read 3^{a} on Thursday, the 12th of November, next, and to be printed as amended. [No. 214.]

House adjourned at five minutes past Seven o'clock, till To-morrow, a quarter past Four o'clock.

HOUSE OF COMMONS.

Tuesday, 27th October, 1908.

The House met at a quarter before Three of the Clock.

PETITIONS.

LICENSED PREMISES (EXCLUSION OF CHILDREN).

Petitions for legislation: From Andover; Barkston Ash; Barnsley; Berkeley Vale; Birkenhead; Brighton and Hove; Bristol; Bury; Caerphilly; Chatham and Rochester; Chester; Derby; Festiniog; Forest of Dean; Gloucestershire; Gravesend and Northfleet; Hendon; Heywood; High Wycombe; Hindley; Hitchin; Lambeth; Leigh; Liverpool; Loughborough; Maidstone; Middlesex; Newcastle-upon-Tyne; Nidderdale; North Northumberland; Norwich; Richmond (Surrey); Salisbury; Sleaford; South-East Essex; Stroud; Taunton and West Somerset; Tees Side; Walthamstow; and, Warwickshire; to lie upon the Table.

LICENSING BILL.

Petitions in favour: From Birmingham (three); Glasgow; Ilkley (two); and, Liverpool (three); to lie upon the Table.

RETURNS, REPORTS, ETC.

CATTLE DRIVES (IRELAND).

Return [presented 23rd October] to be printed. [No. 310.]

UGANDA RAILWAY.

Copy presented, of Return showing I. the Capital Expenditure on the Uganda Railway: II. the Charge involved upon the Exchequer by the Capital Expenditure; III. the Gross and Net Earnings of the Line for each year since it was opened [by Command]; to lie upon the Table.

CROWN LANDS ACT, 1906.

Copy presented, of Second Report by the President of the Board of Agriculture and Fisheries as a Commissioner of Woods, Forests, and Land Revenues, by virtue of the Crown Lands Act, 1906 [by Command]; to lie upon the Table.

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

West Usk Gas Buoy—Cost of Upkeep.

MR. McARTHUR (Liverpool, Kirkdale): To ask the President of the Board of Trade why he has sanctioned the erection of West Usk gas buoy on the offer of Newport port authority to contribute only one-third of the cost, seeing that it is an admitted principle that local lights should be paid for by the local authority, and it had previously been agreed by the Board of Trade, Trinity House, and the Advisory Committee that the light in question was a local one.

(*Answered by Mr. Churchill.*) Under the Merchant Shipping Acts the Trinity House are (subject to the powers or rights of local lighthouse authorities) responsible for the superintendence and management of all lights throughout England and Wales and the adjacent seas and islands. It is sometimes a matter of considerable difficulty to draw the line between expenditure on light that should properly fall on the General Lighthouse Fund and that which should fall on local lightning authorities. Both the Board of Trade and Trinity House objected to the proposal to defray the whole of the proposed expenditure on replacing the West Usk buoy by a lighted buoy out of the General Lighthouse Fund, on the ground that the buoy is within the limits of the jurisdiction of the Newport port authority and that the expenditure would be for the benefit only of ships trading to and from that port. As, however, the Trinity House already perform lighting duties within this district and maintain the West Usk unlighted buoy, which it is now proposed to replace, I considered that the General Lighthouse Fund and the port authority might properly share the expenditure, and eventually an arrangement was arrived at under which one-third of the cost is to be repaid by the port authority. The Advisory Committee consented to waive their objection to this arrangement, without prejudice to their views on the general principle.

Housing Question—Case of George Barton, of Tendring.

MR. LEVY LEVER (Essex, Harwich): To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether his attention has been drawn to the case of George Barton, of Tendring, Essex, who is required to give up possession of his cottage after a tenancy of fifteen years, although he is unable to obtain another suitable dwelling in the neighbourhood; and whether the Housing Bill will make provision for such cases so as to enable the labourers to remain in the villages.

(*Answered by Mr. John Burns.*) My hon. friend has asked me to reply to this Question. My attention has not been drawn to the case referred to, but as regards the last part of the Question I hope and believe, as I have said before, that the result of the Bill will be that cottages will be provided by local authorities where they are required, and that, consequently, in any such case as that mentioned the tenant will be able to obtain another suitable dwelling in the locality.

Housing, Town Planning, &c., Bill.

SIR GILBERT PARKER (Gravesend): To ask the President of the Local Government Board if he can make any statement as to progress with the Housing, Town Planning, &c., Bill, in view of the fact that during the past ten days summonses to Members to attend the

Grand Committee have been twice issued and withdrawn.

(*Answered by Mr. John Burns.*) I am sorry that it was necessary to postpone the meetings of the Committee, but circumstances arose which rendered this unavoidable. I am glad to say, however, that considerable progress has been made with the Bill, and I hope that the consideration of the part of it which relates to housing will shortly be concluded.

Loans for Public Works.

MR. R. HARCOURT (Montrose Burghs): To ask the President of the Local Government Board if he will give a list of the loans for works of public utility connected with the question of unemployment for which sanction has been given since August, specifying in each case the local authority and the amount of the loan; and if he has been furnished by local authorities with any approximate estimate of the numbers likely to be employed.

(*Answered by Mr. John Burns.*) I will send my hon. friend a list of loans sanctioned since the 1st August in respect of works which the local authorities concerned have stated would afford work for the unemployed. My hon. friend will understand that the list is confined to those cases in which the statement referred to has been expressly made by the local authorities, and that many other loans have been sanctioned for works of public utility during the period which will undoubtedly afford employment to persons who would otherwise be unemployed. The local authorities have not furnished sufficient particulars to enable me to give the estimate asked for in the last part of the Question.

Unemployment in London.

MR. GOULDING (Worcester): To ask the President of the Local Government Board what is the estimated percentage of unemployed men in London compared with the adult male population.

(*Answered by Mr. John Burns.*) It is not practicable to estimate the number of unemployed men in London with any degree of accuracy; but I may state that the number of applications registered by the Distress Committee since the registers were opened last month, up to the 21st October, was 16,910. Some of these may have found work in the meantime. The number of men on the registers of the Metropolitan employment exchanges on the 21st of this month was 7,952. I am also informed that 6,178, or 9·3 per cent., of the members of trade unions in London, making returns to the Board of Trade, were out of employment at the end of September. I am not in a position to state how far the same persons are included in more than one of these numbers. The number of male persons of sixteen years of age and upwards in London is estimated to be 1,505,000.

Speed of Motor Vehicles.

MR. MACKARNESS (Berkshire, Newbury): To ask the President of the Local Government Board whether he can state how many applications made by local authorities since 1905 for the limitation of the speed of motor vehicles have been refused by the Local Government Board, and on what grounds they were refused.

(*Answered by Mr. John Burns.*) In some instances since 1905 where an order has been issued limiting the speed of motor cars, it has not extended to the whole of the roads included in the application, as on investigation this appeared to be unnecessary, but only two applications have been altogether refused. In one of these, the application related to the whole of an urban district. The district council subsequently made a further application confined to certain roads, and the order was issued. In the other case, the evidence at the local inquiry which I caused to be held on the subject was generally to the effect that there would be little or no advantage in the proposed limitation of speed.

Keighley Distress Committee.

MR. SNOWDEN (Blackburn): To ask the President of the Local Government Board if he has received an application from the Keighley Corporation to form a distress committee; if such application was refused; and, if so, for what reasons

(*Answered by Mr. John Burns.*) The facts are as stated in the Question. It is not, I think, desirable to constitute a distress committee in the smaller districts unless the circumstances are such as to render it essential that a special body should be set up to cope with the distress. In this instance it does not appear to me to have been shown, at present, that this is the case.

Distress Committees.

MR. SUMMERBELL (Sunderland): To ask the President of the Local Government Board how many, and what, authorities asked to be allowed to create distress committees; and how many such applications were granted by his Board.

(*Answered by Mr. John Burns.*) Under the Unemployed Workmen Act, 1905, distress committees were to be set up, outside London, in boroughs and urban districts, with populations exceeding 50,000. In boroughs and urban districts containing smaller populations distress committees could only be set up on the application of the council, with the consent of the Local Government Board. Since the Act passed applications have been received from fifty-eight localities (thirty-two boroughs and twenty-six urban districts) for the establishment of distress committees. Orders setting up these committees have been issued in fourteen cases, in thirty-three cases they have been refused, and in the remaining eleven cases the application has been dropped or withdrawn by the local authority.

Distress Committees and Relief of Unemployed.

MR. T. F. RICHARDS (Wolverhampton, W.): To ask the President of the Local Government Board whether he will circularise all distress committees advising them generally as to what description of work might be usefully put in hand for the relief of the unemployed.

(*Answered by Mr. John Burns.*) I do not think I could usefully issue such a circular as is suggested. The work which can be undertaken in a case in which there is exceptional distress must be determined by the circumstances of the particular place. In any such case the better course usually is for the town or urban district council to set on foot useful work which is needed in the locality, and for the distress committee to arrange with them to supply unskilled labour from workmen on their register.

Unemployment — The President of the Local Government Board's Letter to the London County Council.

MR. T. F. RICHARDS: To ask the President of the Local Government Board whether a similar letter to the one sent by him to the London County Council on the 28th September last was also sent to all other local authorities; and, if not, whether it is his intention to do so.

(*Answered by Mr. John Burns.*) The reply to the Question is in the negative. I have had many opportunities, of which I have availed myself, of impressing upon the local authorities of distressed districts the importance of expediting the provision of work, but I have not thought it necessary to issue a circular to all local authorities on the subject.

Old-Age Pension Regulations.

MR. HORNIMAN (Chelsea): To ask the President of the Local Government Board whether a man who had been in receipt of out-door relief, if otherwise qualified, would be able to claim an old-age pension if he, his relations, friends, or a charitable institution refunded the total amount he had received from the guardians.

(*Answered by Mr. John Burns.*) This matter, with some others which have arisen under the recent Act and which involve legal considerations, is receiving attention, but I am not in a position at present to give a definite answer with regard to it.

Questions to Applicants for Work.

MR. GEORGE ROBERTS (Norwich): To ask the President of the Local Government Board whether he will consider the advisability of simplifying and rendering less inquisitorial the questions put to applicants for work under the Unemployed Workmen Act.

(*Answered by Mr. John Burns.*) I considered this matter shortly after I became President of the Local Government Board, and I caused the questions to be put to applicants for work to be modified. I do not think that any further modification is required. It is necessary that particulars should be supplied in some detail to the distress committees to enable them to discharge the duty imposed on them of discriminating between applications made to them.

Restrictions Under the Unemployed Workmen Act.

MR. JAMES PARKER (Halifax): To ask the President of the Local Government Board, whether, in view of the fact that the removal of the restriction that no person must be found work under the Unemployed Workmen Act more than once in two years, and also of the disqualification attaching to the receipt of Poor Law relief, the number of eligible applicants will be largely increased, he is prepared to advise the Government to increase the proposed grant.

(*Answered by Mr. John Burns.*) As was stated by the Prime Minister on Wednesday last, the Government propose that the amount of the grant should be increased. The amount spent last year was about £150,000, and the Government propose in the first instance that a sum of £300,000 should be made available.

Motor Car Speed Limits.

MR. MACKARNESS: To ask the President of the Local Government Board, whether he can say how many applications have been made at any time by local authorities under Section 8 of the Motor Car Act, 1903, for the prohibition or restriction of motor traffic on special roads; and in how many cases the applications have been refused.

(*Answered by Mr. John Burns.*) Thirty-three applications have been received in all. Of these twelve have been withdrawn or dropped and four are now under consideration. In twelve cases orders have been issued, and in five cases the application has been refused.

Old-Age Pensions and Poor Relief.

MR. SNOWDEN: To ask Mr. Chancellor of the Exchequer, if an Army or other public pensioner whose pension is paid quarterly and who receives from a board of guardians weekly relief between the receipt of his quarter's pension, such sums being deducted from the pension and handed to the guardians by the authorities, is thereby disqualified for an old-age pension on the ground of having received poor relief.

(*Answered by Mr. John Burns.*) My right hon. friend has asked me to answer this Question. The point involved is included amongst those upon which I am at present taking legal advice, so that I cannot at this moment give a definite reply.

Chinese Seamen and the Language Test.

MR. HAVELOCK WILSON (Middlesbrough): To ask the President of the Board of Trade whether he is aware that, when the steamers "Marypark," "Ethelaida," "Aislaby," "Wilberforce" and "Gresham" were engaging a crew of Chinamen at the port of Barry, a number of Chinese seamen were rejected as they were unable to pass the language test; if he is aware that the same Chinamen were signed on the above-named ships at the port of Cardiff although rejected at Barry; and if he will cause inquiries to be made with regard to this case.

(*Answered by Mr. Churchill.*) I understand that five Chinese seamen who came up for engagement on the "Wilberforce" were rejected at Barry, but that no rejection of Chinese took place at that port in the case of the other vessels named. The only one of the five vessels for which Chinese seamen were engaged at Cardiff was the "Aislaby." In that case seven Chinese passed the language test and twelve were rejected. The information received by the Board of Trade does not show that any of the seven Chinamen who passed the test had been previously rejected at Barry.

Signing-on of Inexperienced Seamen.

MR. HAVELOCK WILSON: To ask the President of the Board of Trade if he is aware that James Pinto, a Lascar, native of Karwar, India, was rejected at the Barry Mercantile Marine Office when about to sign on the steamer "Ethelreda" on the 25th July, 1908, on the grounds that he was unable to satisfy the superintendent that he had had sufficient sea service under Section 27 (2) of the Merchant Shipping Act, 1906, to sign on as cook; whether he is aware that on the same day Pinto was allowed by the superintendent of the Mercantile Marine Office at Cardiff to sign in the same vessel as ship's cook; whether he is aware that the same James Pinto was discharged at Newport on the 14th September, 1908, being rated as ship's cook; and whether he will cause inquiries to be made as to why this man was allowed to sign on when unable to comply with Section 27 (2) of the Merchant Shipping Act, 1906.

(*Answered by Mr. Churchill.*) I understand that the seaman referred to by my hon. friend attended the Barry Mercantile Marine Office for engagement as ship's cook on the ss. "Etheldreda," but did not then sign articles, as he could not prove that he was "duly certificated" within the meaning of Section (27) 2 of the Mercantile Shipping Act, 1906. He was, however, subsequently engaged as cook on the vessel at the Cardiff Mercantile Marine Office, the master explaining that he had endeavoured to obtain the services of a cook with the qualifications required by Section 27, but had failed to do so. The date and place of the seaman's discharge are as stated. The officers of the Board of Trade have no power to prohibit the engagement of an unqualified cook, but I am prepared to institute proceedings in cases where the master or owner of a ship has failed to comply with Section 27 without sufficient reason. In the present case, however, the superintendent at Cardiff has reported that, in his opinion, the master's explanation was a reasonable one.

Estate Duty in Scotland.

MR. WATT (Glasgow, College): To ask the Lord-Advocate whether his attention has been called to the fact that the decision in Gunning's case, 44 S. L. R., page 514, is being used in Scotland by the finance authorities, under the Finance Act of 1894, to the detriment of the people of Scotland as compared with the other countries of the United Kingdom; whether he is aware that the estates of widows which have been unrevoked donations between husband and wife are being called upon to pay double estate duty, whereas in England such estates would be called upon to pay only one estate duty under the Finance Act; and whether he will take steps to advise the Exchequer to have this inequality removed.

(*Answered by Mr. Thomas Shaw.*) The inequality to which the question refers is a natural and proper consequence of the fact that the law of Scotland, unlike the law of England, gives a husband power to revoke at any time a donation made by him to his wife. It is by reason of this power of revocation that in Scotland the donation forms part of the property of which the husband is at the time of his death competent to dispose within the meaning of the Finance Act, 1894, and is accordingly chargeable with estate duty on his death.

The Stewardship of the Hundred of Uchaf.

MR. ELLIS DAVIES (Carnarvonshire, Eifion): To ask the Secretary to the Treasury who is now the steward of the Crown Lordship of the Hundred of Uchaf, in the county of Carnarvon, and what are his emoluments.

(*Answered by Mr. Hobhouse.*) Mr. William Henry More, Crown Receiver for Wales, is steward of the Crown Lordship of Uchaf. He receives an allowance of £2 12s. 6d. for each Court held, which includes refreshments for the juries.

New Scheme for Boy Clerks.

MR. R. HARCOURT: To ask the Secretary to the Treasury if he can state when the new scheme governing the future appointment of boy clerks in the Civil Service will come into force.

(*Answered by Mr. Hobhouse.*) I cannot state the exact date, but it is hoped that the new scheme will be brought into operation on the occasion of the next competition for boy clerkships.

Extension of Lighthouse Jetty at Fair Isle.

MR. CATHCART WASON (Orkney and Shetland): To ask the Secretary for Scotland whether, in view of the fact that the estimated cost of a harbour or breakwater at Fair Isle has been considered prohibitive, inquiry will be made if it would be possible, by arrangement with the Northern Lights Commissioners, to strengthen and extend the lighthouse jetty.

(*Answered by Mr. Sinclair.*) The islanders approached the Northern Lights Commissioners in December, 1907, and have been informed that on their furnishing plans, specifications, and estimates the question will be considered.

Old-Age Pension Regulations.

Mr. LLOYD MORGAN (Carmarthenshire, W.): To ask Mr. Chancellor of the Exchequer whether he has issued, or proposes to issue, regulations or instructions which would assist claimants to pensions or trustees of charitable funds with respect to the cases in which, and the extent to which, the receipt of a pension from a charitable fund would disqualify for a pension under the Act; if not, how is it contemplated to deal with the difficulties arising in such cases.

(*Answered by Mr. Lloyd-George.*) No, Sir. The case of such allowances seems to me to be entirely governed by the provisions of Section 4 (1) (a) of the Act, and there would appear to be no reason for differentiating a pension received from such sources from other money income. The question whether any particular allowance is one which a claimant may "reasonably expect to receive during the succeeding year" is one to be determined upon the facts in each case by the pension committee.

Transfers of Inland Revenue Licences.

Mr. PIKE PEASE (Darlington): To ask Mr. Chancellor of the Exchequer whether, if a person dies who has paid the taxes due for carriages, dogs, etc., and these pass into the possession of a member of his family living in the house in which the deceased person had lived, it is the practice of the Board of Inland Revenue to exact payment of taxes from the new owner in the same year.

(*Answered by Mr. Lloyd-George.*) The general practice of the Board of Inland Revenue is in conformity with Section 26 of 32 and 33 Vic., cap. 14, whereunder establishment licences are transferable to the executors or widow of a deceased person, but to no one else.

The Unemployed—Supplementary Estimates.

Mr. BRIDGEMAN (Shropshire, Oswestry): To ask Mr. Chancellor of the Exchequer which departments would have to present the Supplementary Estimates made necessary by the proposals for dealing with the unemployed; and what would be the amount in each case.

(*Answered by Mr. Lloyd-George.*) I am not at present aware that any Supplementary Estimate will be required in connection with these proposals, except the Estimate for the additional grant of £100,000 for expenses under the Unemployed Workmen Act, which in ordinary course will be presented by the Treasury early in next session.

Position of Dr. Haffkine.

Sir W. J. COLLINS (St. Pancras, W.): To ask the Under-Secretary of State for India whether Dr. Haffkine has been reinstated in employment under the Government of India; and whether his duties are restricted exclusively to research work.

(*Answered by Mr. Buchanan.*) The Answer to both parts of the Question is in the affirmative.

Spread of Plague by Rats in India.

Sir W. J. COLLINS: To ask the Under-Secretary of State for India whether his attention has been called to the observations of Lieutenant-Colonel A. Buchanan, I.M.S., on the propagation of plague in India by means of rats, and to his conclusion that the best way to prevent plague in India is by keeping cats; and whether the Government of India have formed any opinion as to the soundness of this conclusion.

(*Answered by Mr. Buchanan.*) The Secretary of State is aware that Lieutenant-Colonel Buchanan, in letters appearing in the Indian newspapers, has recommended the public to set greater store on cats as the simplest way of keeping down rats. In urging this Colonel Buchanan is not opposed to other methods of prevention. The Secretary of State is not aware that the Government of India have formed any opinion on the subject.

Legal Costs of Local Councils at Mullingar, Delvin, and Coole.

Mr. GINNELL (Westmeath, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will ascertain and state the total law costs incurred each year and in the whole period since 1883 by the boards of guardians and rural district councils, respectively, of Mullingar, Delvin, and Coole, showing the amount of this chargeable to the working of the Labourers Acts and the amount chargeable to other purposes.

(*Answered by Mr. Birrell.*) I have sent to the hon. Member the information for which he asks. This information is contained in tabular statements comprising several pages of figures, with which it does not seem desirable to encumber the Parliamentary records.

Artillery Range Accommodation.

MR. COURTENAY WARNER (Staffordshire, Lichfield): To ask the Secretary of State for War if he is making any provision for the urgent need of more artillery range accommodation; and if he has considered the suitability of Cannock Chase for an artillery range.

(*Answered by Mr. Secretary Haldane.*) Cannock Chase has not been specially considered for an artillery range. As I explained to the House on Monday last, the question of obtaining artillery ranges has been and is still being fully considered.

Shortage of Subaltern Officers.

MR. COURTENAY WARNER: To ask the Secretary of State for War if he will state how many subaltern officers have been got for the Special Reserve (old Militia), not already serving in the Militia six months ago, during the last six months and during the last three months; and if he proposes to make it easier for young men who are going into a civilian profession to become officers of the Special Reserve.

(*Answered by Mr. Secretary Haldane.*) Twelve subalterns have been appointed to the Special Reserve of officers during the last six months, of whom ten were appointed during the last three months. In reply to the latter part of the Question, I am advised that it would not be wise to lower the conditions of entry into the Special Reserve.

MR. COURTENAY WARNER: To ask the Secretary of State for War how many subaltern officers is the Special Reserve short of its establishment.

(*Answered by Mr. Secretary Haldane.*) The shortage of subalterns amounts to a total of 1,595.

Clubs and the Licensing Bill.

MR. WALKER (Leicestershire, Melton): To ask the Prime Minister when he will announce the terms of the Amendments to the club clauses of the Licensing Bill, which he adumbrated some months ago in reply to a deputation when he was still Chancellor of the Exchequer.

(*Answered by Mr. Asquith.*) I hope the Amendments will appear in the Paper in the course of a few days.

QUESTIONS IN THE HOUSE.

Royal Marines Meritorious Service Annuities.

MR. BRAMSDON (Portsmouth): I beg to ask the First Lord of the Admiralty whether, considering the encouragement which the annual grant of £400 a year in annuities not exceeding £20, and the granting of the right to wear a medal known as the long and meritorious medal, under Article 1191 of the King's Regulations, gives to the Royal Marines for distinguished or meritorious services, their Lordships can see their way clear to set apart a similar sum for petty officers of the Royal Navy.

THE FIRST LORD OF THE ADMIRALTY (Mr. MCKENNA, Monmouth, N.): There is no such provision made for petty officers in the Royal Navy. This is one of many differences between the conditions of service and privileges in the Army and the Navy, and it is not proposed to make any change.

The Channel Fleet Battleship Repairs.

MR. MITCHELL-THOMSON (Lanark, N.W.): I beg to ask the First Lord of the Admiralty how many of the Channel Fleet battleships were in dockyard hands for repair on 21st October; and whether in withdrawing vessels from the fleets for repairs during the winter, he will take steps to secure, in compliance with Admiralty memoranda, that not more than two battleships from the Channel Fleet and one from each of the other fleets shall be withdrawn for repairs simultaneously.

MR. MCKENNA: The answer to the first part of the question is four. With regard to the second part, I desire to take this opportunity of stating that in August last, the Admiralty informed the Commander-in-Chief of the Channel Fleet that in view of the great strength of the naval forces always now in home waters, we attach less importance than previously to the limitation of the numbers of ships of the Channel Fleet which are under repair concurrently. The previous statement to the effect that not more than two battleships were to be undergoing refit at the same time, may therefore be regarded as superseded; but it is intended that refits of these vessels shall be distributed as evenly as possible throughout the year. The special repairs to be undertaken this winter in accordance with the Prime Minister's statement of 21st October will not increase the number of ships absent from the Channel Fleet.

Mr. MITCHELL-THOMSON: Then are we to understand that during the winter four of the battleships of the Channel Fleet are to be absent on repair?

Mr. McKENNA: No, Sir; I said four were absent on 21st October, and added that the special repairs to be undertaken this winter would not increase the number of ships absent from the Channel Fleet.

Mr. ARNOLD-FORSTER (Croydon): If it is proposed to substitute another rule for the salutary one that only two ships shall be absent at one time, will care be taken to frame the new rule so that the public may understand it?

Mr. McKENNA: That shall be considered.

Mr. ARTHUR LEE (Hampshire, Fareham): Is this supersession of the old rule to apply only to the Channel Fleet?

Mr. McKENNA: The communication was made only to the Commander-in-Chief of the Channel Fleet.

Mr. BELLAIRS (Lynn Regis): In view of that communication, of which to-day we hear for the first time, may I ask if the Commander-in-Chief will be given an opportunity of exercising all these ships in home waters?

*Mr. SPEAKER: That does not arise out of the Question on the Paper.

Battleship Speed.

Mr. ASHLEY (Lancashire, Blackpool): I beg to ask the First Lord of the Admiralty what speed could have been safely developed and maintained on or about 9th October by each of the two battleships at Malta which were ready to put to sea with defective machinery.

Mr. McKENNA: The "Ocean" could have safely developed and maintained on 9th October a speed of 15 knots, and the "Goliath" 13 knots.

Mr. ASHLEY: Does the right hon. Gentleman consider that satisfactory for these two ships?

Mr. McKENNA: It would not be regarded so if it were their permanent condition.

Mr. ASHLEY: Have the defects been made good?

Mr. McKENNA: They are being made good now.

Mr. ASHLEY: I beg to ask the First Lord of the Admiralty what was the maximum speed developed when on trials by each of the three battleships which left Malta owing to the crisis in the Near East on or about 9th October; and what was the maximum speed which they developed or could have developed on the latter occasion.

Mr. McKENNA: The maximum speeds developed on contractors' trials by these three vessels were:—"Canopus," 18·5 knots; "Glory," 18.124 knots; "Prince of Wales," 17.8. A speed approximating to this could, if desired, have been obtained in each case on the occasion in question.

Mediterranean Fleet Cruisers.

Mr. ASHLEY: I beg to ask the First Lord of the Admiralty where was each one of the eight cruisers mentioned in the

Navy List as belonging to the Mediterranean Fleet on 9th October at the time of the crisis in the Near East.

MR. McKENNA: The "Lancaster," "Suffolk," "Diana" and "Philomel," were at Malta; the "Minerva" was at sea, and arrived at Malta the next day; the "Aboukir" was at Venice; the "Barham" at Constantinople; and the "Bacchante" was between Gibraltar and England on her way home.

MR. ASHLEY: Then how could the eight cruisers have been at Malta within twelve hours as stated?

MR. McKENNA: I said that seven were in the Mediterranean at the time. The eighth was on her way home.

MR. BELLAIRS: Was not the "Minerva" paid off at Sheerness on 13th September, and therefore away from the station for a month.

MR. McKENNA: I stated that the "Minerva" was at sea.

MR. ASHLEY: Which are we to accept as the official Answer—that given to-day, or the one given last week?

MR. McKENNA: Both.

Dockyard Employees and Territorial Camps.

MR. MILDMAY (Devonshire, Totnes): I beg to ask the First Lord of the Admiralty whether, with regard to the question now under consideration, of empowering His Majesty's dockyard authorities to make to employees who have attended recent camps as members of the Territorial Army such residual payments in respect of time spent in camp as will provide that they shall not suffer loss through their action, he will be able to come to an early decision, in view of the prejudicial effect upon recruiting for the Territorial Army in Devonport and Plymouth resulting from the uncertainty upon this point.

MR. McKENNA: I hope that an early decision will be reached, but the hon. Member will understand that this is a question that does not concern my Department alone.

MR. MILDMAY: Have not such residual payments been made in the case of some army non-commissioned officers?

MR. McKENNA: That question should be addressed to my right hon. friend the Secretary of State for War. I am not aware of what has taken place in his Department.

EARL WINTERTON (Sussex, Horsham): What is the reason for the delay in the settlement of this question?

MR. McKENNA: My Answer is as full as I can make it.

Admiralty Expenditure.

MR. ARTHUR LEE: I beg to ask the First Lord of the Admiralty if he will state, approximately, the amount of under-expenditure upon new construction which has resulted, up to date, from the strikes in the shipbuilding trade or other unforeseen causes, during the current financial year.

MR. McKENNA: I regret that the figures asked for are not yet available.

MR. ARTHUR LEE: Can the right hon. Gentleman give any indication when the figures will be available so that I may put down another Question?

MR. McKENNA: Not immediately.

MR. ARTHUR LEE: In a week's time?

MR. McKENNA: I should not think so.

MR. ARTHUR LEE: I beg to ask the First Lord of the Admiralty if he will give an approximate estimate of the extra amount of expenditure, beyond that originally estimated, that will be incurred during the current financial year by the earlier letting of tenders for the construction of nine destroyers and five unarmoured cruisers.

Mr. McKENNA: I regret that the figures asked for are not yet available.

Mr. ARTHUR LEE: Cannot the right hon. Gentleman give an approximate estimate of the obligations he will have to meet in this respect during the current year?

Mr. McKENNA: I estimate that the contractors will expend, before 31st March, a total of £300,000. I am, therefore, perfectly sure the liability of the Admiralty will not exceed £200,000, and it will probably be considerably less.

Mr. ARTHUR LEE: I beg to ask the First Lord of the Admiralty how he proposes to meet the extra expenditure that will be incurred during the current financial year by the earlier commencement of certain items in the programme of new construction and by the anticipation of repairs to the Fleet.

Mr. McKENNA: I propose to meet it out of the total sums voted for naval services this year.

Mr. ARTHUR LEE: On what items will the large savings be effected?

Mr. McKENNA: Large savings will be effected owing to the strike. I cannot, however, give an estimate, as the figures are coming in almost daily. I am confident that the additional expenditure for laying down ships earlier than arranged will be fully met out of these savings.

Rosyth.

Mr. ARTHUR LEE: I beg to ask the First Lord of the Admiralty if he will state on what date the tenders for the main contract at Rosyth were invited and by what date will they be returnable.

Mr. McKENNA: Invitations to tender, with full contract particulars, were issued on 23rd October. Tenders are to be sent in on 22nd December, 1908.

Mr. ARTHUR LEE: Will the bonus be of a substantial nature?

Mr. McKENNA: I cannot give the exact figure. Much depends on what the hon. Gentleman means by "substantial."

Mr. JOHN WARD (Stoke-on-Trent) asked whether, in view of the bonus that was to be given, care would be taken to see that proper wages were paid to the workmen.

Mr. McKENNA: It is already a condition of the contract that fair wages shall be paid.

Ammunition for Rifle Clubs.

Mr. GIBBS (Bristol, W.): I beg to ask the Secretary of State for War if he will lay upon the Table a statement showing the conditions under which ammunition will be supplied to rifle clubs at reduced rates.

The SECRETARY of STATE for WAR (Mr. Haldane, Haddington): As I stated yesterday the details are under consideration at this moment.

Tinnevelly Sedition Trial.

Sir H. COTTON (Nottingham, E.): I beg to ask the Under-Secretary of State for India whether the sentence of transportation for life passed by the Additional Sessions Judge of Tinnevelly on Chidambaram Pillai, on 6th July last, for making seditious speeches, was appealed against; and, if so, whether the appeal is still pending before the High Court of Madras.

The UNDER-SECRETARY of STATE for INDIA (Mr. Buchanan, Perthshire, E.): The appeal of Chidambaram Pillai to the Madras High Court was admitted on 31st July last. The translation of the vernacular record took several weeks, and a further postponement of a fortnight was given on the application of counsel. The hearing began on 6th October, and is being continued *de die in diem.* Meantime the prisoners are being treated as under trial pending the final order of the High Court.

"Seintan Sikha."

Mr. O'GRADY (Leeds, E.). I beg to ask the Under-Secretary of State fo

India whether he is aware that a pleader named Ram Kanai Dutt, of Brahamanbaria, and his son have been arrested upon a charge of sedition for having written and printed a booklet entitled "Seintan Sikha"; and whether, in view of the fact that the booklet was written two years ago and has been in public use as a text-book in the lower classes of many national schools, he will order an inquiry into the matter, and, if the facts are as stated, make a request to the Government of India for the release of this man and his son.

MR. BUCHANAN: The Secretary of State has no information on the subject, but he will inquire.

Indian Police.

MR. O'GRADY: I beg to ask the Under-Secretary of State for India whether he is aware that, in the matter of the public instituting criminal proceedings against the police in India, the appellant has not only to take the risks of wrongful proceedings set out in Section 211 of the Indian Penal Code, but also to face the act that the financial resources of the Government are at the disposal of the police, and compensation paid though the charge be proven; and, if so, whether an assurance can be given that this matter will be inquired into, with a view of reverting to the previous position of the Government standing aloof and only compensating the police in the event of the proceedings against them not being successful.

MR. BUCHANAN: The Secretary of State is not aware of any practice of paying compensation in the manner described in the Question, but if the hon. Member will give fuller and authentic particulars, he will at once consider the desirability of inquiring.

MR. O'GRADY: I will do so.

Salvation Army and Indian Industries.

MR. O'GRADY: I beg to ask the Under-Secretary of State for India whether he is aware that the Punjab Government has sanctioned the institution of an exhibition of handlooms, with a school of weaving, to be managed by the Salvation Army at Ludhiana, Amritsar, or Sialkot; if so, has he any information as to the amount of money, if any, voted for the purpose; whether any of the money has been allocated to the Salvation Army for management; and, if so, on what grounds the Salvation Army were selected to superintend and manage the exhibition and school.

MR. BUCHANAN: The Secretary of State has seen in the newspapers a statement to the effect set forth in the Question. He has no further information on the subject, but he will inquire.

Trinidad Board of Agriculture.

MR. MITCHELL-THOMSON: I beg to ask the Under-Secretary of State for the Colonies whether the Secretary of State has advised that assent be given to the ordinances establishing a Board of Agriculture in Trinidad; whether taxation is being collected for the purposes of such a Board; and, if so, whether he will take steps to see that the creation of the Board is not longer delayed.

THE UNDER-SECRETARY OF STATE FOR THE COLONIES (Colonel SEELY, Liverpool, Abercromby): The Secretary of State has agreed to assent being given to the Trinidad Board of Agriculture Ordinance, subject to an understanding on one point, as to which he awaits a reply from the officer administering the Government. The special tax referred to has been collected since 1st July, and is being carried to a suspense account in the local Treasury, pending a decision on the scheme of reorganisation, which has naturally required some time for consideration. The Secretary of State hopes that the Board will shortly be constituted.

Barbados, etc., Cable Rates.

MR. MITCHELL-THOMSON: I beg to ask the Under-Secretary of State for the Colonies what progress has been made towards effecting a reduction in the cable rates to Barbados, Trinidad, and Demerara.

COLONEL SEELY: The Secretary of State regrets that he sees no immediate prospect of effecting a reduction in the cable rates to these Colonies.

Mr. MITCHELL-THOMSON: Will the Secretary of State continue to use his best efforts to secure a reduction?

Colonel SEELY: Reductions of cable rates are always to be desired, but the present is not an opportune moment for pressing this matter.

Sekgoma.

Sir H. COTTON: I beg to ask the Under-Secretary of State for the Colonies whether the attention of His Majesty's Government has been called to the case of Sekgoma, a native of the Bechuanaland Protectorate, who was arrested at Kimberley and detained as a prisoner without any charge being laid against him, whose application that he may be brought to trial and afforded an opportunity of defending himself has been refused, and concerning whom it is alleged that the High Commissioner for South Africa declined to give reasons for his detention; and whether His Majesty's Government will call for a Report on the subject.

Colonel SEELY: Yes, Sir, the case is well-known to the Secretary of State—Sekgoma, who claimed to be chief of the Batawana tribe, and who had for a considerable time acted in that capacity was removed from that position after an exhaustive inquiry on the spot by the Resident Commissioner of the Bechuanaland Protectorate in 1906. The Resident Commissioner found that Sekgoma was not entitled to the succession and that the majority of the tribe accepted the other claimant, Mathibi, as their lawful chief. The tribe was deeply divided on the question of the succession, and in the opinion of the Commissioner which was accepted by Lord Selborne and the Secretary of State, it was necessary in order to avoid the likelihood of bloodshed and tribal war to prevent Sekgoma's return. Sekgoma has, therefore, been detained in a different part of the Protectorate under the authority of a High Commissioner's Proclamation of December, 1906, which recited the reasons given above for the action taken

Alleged Illegal Fishing in Cuban Waters.

Mr. CARLILE (Hertfordshire, St. Albans): I beg to ask the Secretary of State for Foreign Affairs whether he is aware that, between 1st May and 20th May, 1908, inclusive, eight Bahamian turtling vessels were seized by Cuban Revenue cutters, that these vessels were towed into Cuban ports and the owners heavily fined on a charge of alleged illegal fishing, and that the owners of each vessel were also fined 500 dollars for infringing the quarantine regulations, although the vessels were forcibly towed into the ports where the alleged contravention of those regulations took place; and whether, seeing that it is the practice for these turtling vessels, when returning from the Pedro Cay banks to Nassau, to approach the Island of Cuba in order to be sure of their whereabouts, the Government has taken steps, and, if so, what steps, to obtain the remission of the fines, compensation for the three months detention of the vessels and their crews, and generally to protect the interests of this industry.

The SECRETARY of STATE for FOREIGN AFFAIRS (Sir Edward Grey, Northumberland, Berwick): The incident referred to by the hon. Member was fully reported by His Majesty's Minister at Havana at the time of its occurrence, and received the careful consideration of the Secretary of State for the Colonies and of myself. As regards seven of the vessels seized and fined on a charge of illegal fishing, His Majesty's Government were satisfied on investigation that there were no sufficient grounds for interference on their part, as there appeared to be no sufficient evidence to rebut the allegation that the vessels were fishing Cuban territorial waters within the three mile limit at the time of their arrest. As regards the eighth vessel, arrested and fined on an additional charge of illegally transporting turtles through Cuban waters during the close season, His Majesty's Government were not prepared to dispute the right of the Cuban Government to prohibit such transport of turtles. Owing, however, to the representations made by His Majesty's Minister at Havana, the Cuban Government remitted the fine on this vessel and reduced the fines on the seven other vessels to less than half their original amount; the fine of 500 dollars on each vessel (which according to the information received by His Majesty's Government, was on account of contravention of the Cuban Customs regulations and is presumably that to which the hon. Member refers), being entirely remitted. As it was not possible to refute the charge that seven of the vessels were engaged in illegal fishing at the time of their arrest His Majesty's Government do not consider the case to be one which calls for the payment of compensation to the owners of the vessels for the period of their detention. In the case of the eighth, no sufficient evidence has been brought before His Majesty's Government to justify a demand for compensation. After careful consideration, His Majesty's Government have come to the conclusion that the situation does not call for further action at present; but the hon. Member may rest assured that His Majesty's Government will always be ready to take such steps as may be necessary to protect the interests of this industry outside the limits of the territorial waters.

MR. CARLILE: May I ask the right hon. Gentleman why he has made no reference to the fact that it is the custom of these people to pass through these waters on their way to their own ports?

SIR EDWARD GREY: The only question is one of evidence as to whether they were or were not fishing inside the territorial waters. If the hon. Member has any evidence to produce on the subject I will consider it.

MR. ASHLEY: Does the right hon. Gentleman admit the justice of these people being fined for an infringement of the quarantine regulations?

SIR EDWARD GREY: I think I said in my Answer that the fine has been remitted.

New York State Licence Revenue.

MR. ESSEX (Gloucestershire, Cirencester): I beg to ask the Secretary of State for Foreign Affairs what was the amount raised on licences for the sale of intoxicating liquor in the State of New York in each of the years 1906 and 1907.

SIR EDWARD GREY: The amount raised in the year 1907 was 18,544,321 dollars, 56 cents. The figures for 1906 have not been received.

Russia and Persia.

MR. O'GRADY: I beg to ask the Secretary of State for Foreign Affairs whether he is aware that among the copies of telegrams seized by the general of the Nationalist forces after the capture of the telegraph office serving the Royalist troops at Tabriz, were two telegrams from the Royalist general to the Shah of Persia, the first requesting His Majesty to give instructions through the Russian Legation in Teheran for the supply of from 10,000 to 20,000 cartridges through the Russian Consul-General at Tabriz, and the second acknowledging the receipt of this order for cartridges; and whether such interference by the Russian Legation in Teheran in the internal affairs of Persia is in accordance with the tenour of the Anglo-Russian Convention.

SIR EDWARD GREY: I have no information bearing out the accuracy of this allegation.

MR. O'GRADY: May I ask the right hon. Gentleman whether, in view of the strong point he made against Members on these benches, when they raised the question of the King's visit to Reval, and his objection to the interference by one country in the internal affairs of another, the Government will move——

*MR. SPEAKER: Order, order. The hon. Member is simply raising a debate.

DR. RUTHERFORD (Middlesex, Brentford): I beg to ask the Secretary of State for Foreign Affairs whether, with a view to Persians managing their own affairs, he will make friendly representations to the Government of Russia to recall the Russian officers serving in Persia.

SIR EDWARD GREY: The Russian officers in Persia are in the employment of the Shah, and have been so for several years past. It is a matter in which the Governments of Russia and Persia are alone concerned, but I am informed that no Russian officers have taken any part in the recent fighting between Persian forces.

DR. RUTHERFORD: Is there any truth in the Report that Russian troops have invaded Persia?

SIR EDWARD GREY: No, Sir; my information is that no Russian troops have crossed the Persian frontier. According to my information, what has happened is this. For some time there has been constant fighting between Royalist and Nationalist forces at Tabriz. Tabriz is very close to the Russian frontier. Russian trade has, of course, suffered. A Russian post was attacked, and one report is that lives of Russians were in danger. Russia then moved, I think, about 400 men to the frontier, but as the fighting had ceased, and it was stated that the danger to Russian lives had also ceased, the troops were ordered not to cross. I am informed that the Russian troops have orders not to cross the frontier unless Russian lives are in danger.

MR. DILLON (Mayo, E.): Have the British Government consented to the Russian troops crossing the frontier?

SIR EDWARD GREY: We have always claimed the right to take what measures we think fit when British lives are in danger, and we could not refuse the same liberty of action to others. But, inasmuch as the policy which has been pursued by both Governments is that of non-intervention, and as there has been considerable disturbance close to the Russian frontier, and the Russians have not sent troops across the frontier, I think I am justified in saying that they have acted in accordance with the spirit of the Convention.

MR. DILLON: I beg to ask the Secretary of State for Foreign Affairs whether he will now lay upon the Table Papers on the affairs of Persia.

SIR EDWARD GREY: Papers will be prepared, and the question of future publication will be considered when the present crisis in Persia has passed.

MR. LYNCH (Yorkshire, W.R., Ripon): I beg to ask the Secretary of State for Foreign Affairs whether, during the entire period of the recent critical events in Tabriz, the British Consul-General, acting under instructions from His Majesty's Government, was absent from his post, while the Russian Consul-General was present throughout the struggle; and whether steps can be taken to secure that in future there shall be equality of representation as between Great Britain and Russia in this capital of Northern Persia.

SIR EDWARD GREY: The answer to the first Question is in the affirmative: the presence of His Majesty's Consul-General being urgently required at Urumia in connection with the Turco-Persian frontier dispute. During the absence of the Consul-General, the Vice-Consul was in charge. As to the second Question, the British Consul-General has now returned to his post, and there is no intention of withdrawing him.

Licensing Local Option in Russia

MR. R. HARCOURT (Montrose Burghs): I beg to ask the Secretary of State for Foreign Affairs whether he has any official information showing that the Russian Council of Ministers has sanctioned the introduction of a Bill giving to inhabitants of villages the right to close existing public-houses, to prohibit the opening of new ones, and to limit the hours of sale, by resolution of the local council; and, if so, whether Sir A. Nicholson will be instructed to make representations as to the evil example likely to be set to moderate and reasonable temperance reformers in this country by these ultra-democratic and faddist proposals.

SIR EDWARD GREY: I have not received any information to this effect, though I have no reason or wish to discredit that on which my hon. friend has founded his Question. I should, however, deprecate any representations such as he suggests. We can always profit by the example of other countries in liquor legislation, though whether this can best be done by imitation or by avoidance my hon. friend must rely upon the wisdom of Parliament to decide in each particular case.

Great Britain, Russia and Persia.

MR. DILLON: I beg to ask the Secretary of State for Foreign Affairs whether he adheres to the statement that the British and Russian Governments and their representatives in Persia have absolutely abstained from all interference in the internal affairs of Persia.

SIR EDWARD GREY: Both Governments have maintained a policy of general non-intervention in regard to Persia; but they have united in recommending to the Shah the grant of a Constitution, as it seemed to them the best means of promoting peace in the country.

MR. DILLON: Did they at the time they recommended the grant of a Constitution take any means of assuring the safety of the Persian delegates who might be elected?

SIR EDWARD GREY: It is quite obvious that to give guarantees to either one party or the other in Persia of that nature would lead to direct intervention in the internal administration of that country.

Licence Duties in the United States.

MR. ESSEX (Gloucestershire, Cirencester): I beg to ask Mr. Chancellor of the Exchequer in which of the Colonies and Dependencies of the British Empire and in which States in the United States of America is the system of high licence duties on the sale of intoxicating liquors in force; and what are the rates or scales of such duties in each case.

THE CHANCELLOR OF THE EXCHEQUER (Mr. LLOYD-GEORGE, Carnarvon Boroughs): The information required by my hon. friend is too voluminous to be supplied in answer to a Parliamentary Question, but I shall be glad to supply him with any material in my possession if he will be good enough to confer with me upon the subject.

Instructions to Pension Officers.

LORD R. CECIL (Marylebone, E.): I beg to ask Mr. Chancellor of the Exchequer whether he has issued, or intends to issue, instructions to the pension officers directing them not to take into consideration in their Reports the fact that an applicant for a pension, otherwise qualified, has passed a short period in a workhouse infirmary; and, if not, will he undertake to issue instructions to that effect.

MR. LLOYD-GEORGE: I have not issued, and do not intend to issue instructions of the kind referred to by the noble Lord.

LORD R. CECIL: May I ask the right hon. Gentleman the reasons which have led him to arrive at that conclusion?

MR. LLOYD-GEORGE: I should hardly like to enter into them without notice, for the simple reason that every answer I have to give on a question of this sort may have the effect of embarrassing the decisions as they arise.

Hop Industry.

MR. LAURENCE HARDY (Kent, Ashford): I beg to ask Mr. Chancellor of the Exchequer whether, in view of the depressed condition of the hop market, and in view of the fact that no beneficial result will be obtained from the abolition of hop-substitutes or from marking of foreign hops during this season unless legislation is proceeded with at once, he can now state on what day he will introduce Bills dealing with these subjects.

MR. LLOYD-GEORGE: I cannot at present add anything to my Answer of the 15th instant to a similar Question by the hon. Member for the Rye division of Sussex.

*SIR W. J. COLLINS: Will the Bill cover both the abolition of hop-substitutes and the marking of foreign hops as recommended by the Select Committee?

MR. LLOYD-GEORGE: The Bill will cover the whole of the ground.

German Tax on Electricity Rates.

MR. R. HARCOURT: I beg to ask Mr. Chancellor of the Exchequer whether he has any official Reports showing that the Secretary of State for the Imperial German Treasury is about to introduce a Bill to impose a tax of 5 per cent. on the consumption price of electricity, whether for power or light, and the same tax on gas, also a tax on every gas or electrical burner sold, amounting to 50 or 60 per cent. of the present retail price, so that their cost for buyers would be increased in this proportion; and whether, in the event of the resources of free trade finance becoming exhausted, he will bear in mind this method of broadening the basis of taxation.

Mr. LLOYD-GEORGE: I believe that the German proposals for new Imperial taxation have not yet been officially promulgated.

Tobacco Growing in Scotland.

Mr. MORTON (Sutherland): I beg to ask Mr. Chancellor of the Exchequer whether he will arrange to make a similar grant to Scotland as that given to Ireland, namely, £6,000 per annum for five years for the encouragement of the growth of tobacco in Scotland.

Mr. LLOYD-GEORGE: The removal of the restriction upon the cultivation of tobacco in Scotland is to take effect under the Tobacco Growing (Scotland) Act, 1908, "as from a date to be fixed by His Majesty by Order in Council as soon as Parliament has made provision for an excise duty on tobacco produced in Scotland." Parliament has not yet made this provision in the case of Scotland, and the restriction consequently is still in force. As regards the power conferred on the Commissioners of Inland Revenue under Section (2) of the Act enabling them to authorise the growth of tobacco for experimental purposes in Scotland, I understand that they have as yet received no application for the grant of such permission.

The Labour Gazette.

Mr. FELL (Great Yarmouth): I beg to ask the President of the Board of Trade how much is spent upon the *Labour Gazette* annually; and whether the particulars given therein of the condition of trade and the state of employment and unemployment in the different trades can be enlarged and improved upon at a moderate increase of outlay.

The PRESIDENT of the BOARD of TRADE (Mr. Churchill, Dundee): The preparation of the Board of Trade *Labour Gazette* is so much involved in the general work of the Labour Department of the Board of Trade that it is impossible to state its cost separately. Every opportunity is taken to extend the information given as regards employment and trade, so far as trustworthy data can be obtained, and the Board of Trade would welcome any practical suggestion for enlargement and improvement that the hon. Member is in a position to make, bearing in mind the voluntary basis of the returns and their confidential character to a large extent. I do not think that a moderate increase of outlay would stand in the way of a really useful and practicable extension.

Mr. FELL: Is not the amount about £2,000? Was the cost of the inquiries made in Germany by a Departmental Committee charged against the *Labour Gazette*?

Mr. CHURCHILL: I have said I cannot state the cost.

Earl WINTERTON (Sussex, Horsham): Will the right hon. Gentleman consider the advisability of appointing a Departmental Committee to inquire as to extending the usefulness of the *Gazette*?

Mr. CHURCHILL: I am prepared carefully to consider any suggestions that may be made to me with a view to improving the *Gazette*.

Earl WINTERTON: But will the right hon. Gentleman appoint a Committee from both sides of the House to consider whether the usefulness of the publication cannot be increased?

Mr. CHURCHILL: I do not think that at present such a Committee would produce more information than we already have.

Mr. FELL: Is not the cost about £2,000?

Mr. CHURCHILL: I cannot give the actual figures, but certainly the information published in the *Gazette* could not be obtained for anything like the price the printing and publishing entails.

Leeds Afforestation.

Mr. LANE-FOX (Yorkshire, W.R., Barkston Ash): I beg to ask the President of the Local Government Board what proportion of the 1,514,300 trees planted in the Leeds afforestation scheme are alive or likely to thrive; whether their present condition is largely due to the want of familiarity of those employed in planting them with such work; and whether he can secure that in any future work of this kind better instruction and supervision can be given, and better results obtained.

The PRESIDENT of the LOCAL GOVERNMENT BOARD (Mr. John Burns, Battersea): It is estimated that 1,101,500 out of the 1,514,300 trees planted during the past three seasons' work are living and thriving at the present time. The plantations are carefully examined each season, dead trees are removed and the gaps planted, so that at present there are estimated to be 1,500,000 thriving trees. The failures are reported to be due to the lack of knowledge of the men doing the planting, but I am informed that in some cases they are caused by carelessness and want of interest on the part of the men. I may add that for the present season an experienced forester has been engaged to assist the foreman hitherto employed upon the work. Both of these, together with seven men on the permanent staff, will instruct the men and supervise the work. It is hoped that in this way much better results will be obtained.

Mr. ALDEN (Middlesex, Tottenham): Can the right hon. Gentleman furnish the House with full information regarding this and other similar experiments in afforestation?

Mr. JOHN BURNS: The Leeds City Council have published a Report on this experiment, copies of which can be had on application to the town clerk.

Mr. MORRELL (Oxfordshire, Henley): Will the right hon. Gentleman lay Papers on the Table?

Mr. JOHN BURNS: This is not a subject on which I am instructed to secure information in the ordinary way to lay upon the Table of the House, but if there is any general desire that some information should be given in a summarised form of this experiment I shall be pleased to consider it.

Cirencester Vaccination Case.

Mr. LUPTON (Lincolnshire, Sleaford): I beg to ask the President of the Local Government Board with reference to the three cases of injury resulting from vaccination performed by Dr. Cossham of Cirencester, on which the Local Government Board medical inspector reported, if the chancres produced by vaccination were those of simulating syphilis; and if the Local Government Board will send the Reports to Mr. Jonathan Hutchinson, F.R.C.S., for his opinion.

Mr. JOHN BURNS: The three cases referred to were all vaccinated with calf lymph, and I am advised that it is impossible to communicate syphilis by means of calf lymph. The medical inspector who, however, saw the children some months after the vaccination, states that the scars of the sore places bore no resemblance to chancres, and, from the date of the origin of the complication, it is clear that it was caused by accidental contamination of the sore places which took place a considerable time after vaccination had been performed. I see no sufficient reason for adopting the course suggested in the last part of the Question.

Mr. LUPTON: Do I understand the right hon. Gentleman will not submit the Reports to Dr. Hutchinson, who is a great authority on syphilis?

Mr. JOHN BURNS: I have nothing to add to my Answer.

MR. LUPTON: Has it not been shown that syphilis is produced by calf lymph?

MR. JOHN BURNS: I am otherwise advised.

MR. ESSEX: Has the right hon. Gentleman not received information that the locality in which this child lived was in an extremely insanitary condition?

MR. JOHN BURNS: Yes, I stated that last week.

MR. LUPTON: And has the right hon. Gentleman asked the vaccinator not to vaccinate cases in insanitary neighbourhoods or dwellings?

*SIR W. J. COLLINS: Can the right hon. Gentleman give the House any information as to the original source of Government calf lymph?

MR. JOHN BURNS: I have nothing to add to the interesting correspondence I had with my hon. friend last year on this subject.

*SIR W. J. COLLINS: That was rather negative.

Runcorn Vaccination Case.

MR. LUPTON: I beg to ask the President of the Local Government Board if the Local Government Board has made any inquiry into the case of the nine weeks old female child of Mr. Edward Johnson, of 14, Albert Street, Runcorn, vaccinated on 29th September, inquest held on 16th October, death from septic poisoning; and if he will, in consequence, discontinue the wholesale dissemination of poisonous matter to be put into the blood of healthy children.

MR. JOHN BURNS: My attention has not previously been drawn to this case. I have, however, now written for a copy of the depositions taken at the inquest, and upon receiving them I will give consideration to the matter.

MR. LUPTON: May I ask the right hon. Gentleman if, when he sends an inspector down to investigate a case, he will have him accompanied by a medical man who is an anti-vaccinator?

MR. JOHN BURNS: I attach no importance to the question whether a medical man is an anti-vaccinator or not. If he is in the service of the Local Government Board he is called upon to do his duty, and I hope he suppresses his personal views, as I have done on this subject.

Warblington Urban District Council.

MR. ARTHUR LEE: I beg to ask the President of the Local Government Board if he is aware of the position in which the Warblington Urban District Council finds itself as a result on the one hand of the judgment obtained against it by Mr. Foster in connection with the pollution of his oyster-beds by the existing system of local drainage, and on the other hand by the refusal of the Local Government Board to sanction the new scheme of drainage which has been prepared by the expert advisers of the council on the ground that such scheme would be ineffective; whether he is further aware that the council is extremely anxious to proceed with a new scheme of drainage at the earliest possible moment and as soon as it can secure the consent of the Local Government Board to the necessary expenditure; and whether he can indicate to the council the points upon which the scheme submitted by it is defective.

MR. JOHN BURNS: I am aware of the position of the district council in this matter, and that they are anxious to proceed with a new scheme of drainage. I have already indicated to the council the points upon which, as I am advised, the previous scheme was defective.

MR. ARTHUR LEE: Is the right hon. Gentleman aware that further litigation is threatened against this council for not proceeding with the drainage scheme? Cannot the Local Government Board give them some expert advice?

MR. JOHN BURNS: I am aware of the peculiar difficulties under which this local authority is labouring, and I am doing my best to help them out of their troubles.

Sewage Disposal.

Mr ARTHUR LEE: I beg to ask the President of the Local Government Board whether he can hold out any hopes of his being in a position to introduce a Bill dealing with the disposal of sewage at an early date.

Mr. JOHN BURNS: The Reports of the Royal Commission on Sewage Disposal are receiving my consideration with a view to legislation, but I do not think it will be practicable to introduce a Bill on the subject during the present session.

Mr. ARTHUR LEE: Meanwhile, will the Local Government Board afford some protection to councils placed on the horns of a dilemma?

Mr. JOHN BURNS: Yes, there are two or three councils in the same position as the one to which the hon. Member's previous Question refers, and I am doing my best to arrange some reasonable compromise or safeguard.

Pensions and Poor Relief.

Mr. WALROND (Devonshire, Tiverton): I beg to ask Mr. Chancellor of the Exchequer whether a person otherwise qualified, who has been in receipt of poor relief within twelve months prior to 1st January, 1909, is eligible for receipt of a pension if the amount of the poor relief received by him has been refunded before that date.

Mr. JOHN BURNS: Perhaps I may be allowed to answer this Question. It is one which, with some others involving legal considerations, is at present under consideration, so that I am not at the moment in a position to give a definite reply to it.

Abbots Bromley Postmaster.

Mr. THORNTON (Clapham): I beg to ask the Postmaster-General whether his attention has been called to a case of arbitration under Section 2 of The Savings Bank Society Act, 1876, heard on 19th June, 1908, by the Chief Registrar of Friendly Societies, with reference to the misappropriation of a sum of £270 belonging to the Lord Bagot Lodge of the Manchester Unity of the Independent Order of Oddfellows Friendly Society by the late Lewis Myatt, who committed suicide in October, 1906, and who, while secretary of the Lord Bagot Lodge, was postmaster of Abbots Bromley in the sub-district of Rugeley, Staffordshire; whether he is aware that owing to his position as postmaster he was enabled to apply to his own use moneys entrusted to him by the lodge for deposit in the Post Office Savings Bank; and whether he or any of his staff consulted the Chief Registrar of Friendly Societies or either of his assistants in any way on the matter previously to the case being submitted to the Chief Registrar by the directors of the Manchester Unity for arbitration.

I beg further to ask the Postmaster-General whether, as the Post Office authorities desire that the directors of the Manchester Unity should call the special attention of its 4,000 branches to the necessity for extra vigilance while one person holds a fiducial position in the society and is at the same time postmaster, he will issue instructions to his officers that they are not to accept money for deposit from societies for which they may be acting unless it is tendered by an officer of the society who is not connected with the Post Office and on the Post Office premises when they are open for public business, in order that all entries in depositors' Post Office Savings Bank books bearing the official stamp of the office shall be evidence of the receipt by the Postmaster-General of the amounts entered.

The POSTMASTER-GENERAL (Mr. Sydney Buxton, Tower Hamlets, Poplar): The position of sub-postmaster held by the late secretary of the Lord Bagot Lodge of Oddfellows, did not in itself enable him to apply to his own use moneys entrusted to him for deposit in the Post Office Savings Bank. Frauds have been committed in a similar way by officers of friendly societies who were not Post Office servants; and in all such cases they have been rendered possible only by the negligence of other society officials. The Chief Registrar of Friendly Societies was asked in March, 1907, whether he could take steps to render more effective the audit of friendly society accounts; but apart from this, he has not been consulted in any way in connection with the case by any officer of the Post Office. I am considering at the present time what can be done to prevent as far as possible frauds of this kind, whether by Post Office servants or by others.

Women in the Post Office.

Mr. H. H. MARKS (Kent, Thanet): I beg to ask the Postmaster-General whether the increase of 1,753 persons made in the female staff of the Post Office in 1908 was made in the interests of economy; and how the wages paid to the 1,753 women compare with the wages which would have been paid to men for similar work.

Mr. SYDNEY BUXTON: It has for years past been the practice of the Post Office to employ women upon certain classes of work which are considered to be suitable for them to perform, and it has been found that efficiency and economy result from that practice. I may point out that the respective increases in the female and male staff in 1908 were 1,753 and 2,666. In the Post Office, as elsewhere, women receive a lower scale of pay than men.

Sir GILBERT PARKER (Gravesend): Are some of the girls paid as low as 16s. or 17s. per week?

Mr. SYDNEY BUXTON: It depends on the class of work. We are raising the wages of the typists considerably.

Sir GILBERT PARKER: But are some of the girls paid as low as 16s. or 17s. a week?

*Mr. SPEAKER: The right hon. Gentleman cannot carry the wages list in his pocket. Notice must be given of the Question.

Cooper School, Marston Sicca.

Mr. ESSEX: I beg to ask the President of the Board of Education what is the present position of the trust estate of the Cooper School, Marston Sicca, Gloucestershire; what is its annual net income, and to what purpose is that income now devoted.

The PRESIDENT of the BOARD of EDUCATION (Mr. Runciman, Dewsbury): A scheme has been drafted for this Foundation, but its publication has been postponed pending the receipt of the observations of the trustees thereon. They have been informed that the Board will proceed to publication unless their observations are received within a fortnight. The local education authority have expressed their approval of the draft scheme. So far as can be ascertained, the net income of the Foundation is about £100. As the school has been closed, the income must continue to accumulate until a scheme has been established.

Northleach Grammar School.

Mr. ESSEX: I beg to ask the President of the Board of Education whether a scheme has been decided upon for the use of the trust funds of Northleach (Gloucestershire) Grammar School in educational work in that town and its neighbourhood; and, if not, how do the afiairs of the trust now stand.

Mr. RUNCIMAN: No scheme has yet been drafted for the administration of the Northleach Westwood Grammar School. A local inquiry was held by Officers of the Board on 22nd July as to a proposal to utilise the endowment for the establishment of a higher elementary school. On 7th September the Board addressed a letter to the local education authority with regard to the prospects which such a school, if established, might be expected to have, and to this letter they are now awaiting a reply.

School Building Grants.

Mr. PIKE PEASE (Darlington): I beg to ask the President of the Board of Education if he will give a Return showing the number of applications and decisions of the Board during the last six months in respect of applications for building grants from the £100,000 voted by Parliament, in continuation of the previous Parliamentary Paper.

Mr. RUNCIMAN: I hope to lay a statement on the subject during the course of next month.

Small Holdings in Gloucestershire.

Mr. ESSEX: I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, if he will state how many applications for small holdings in the county of Gloucestershire have been made to date; how many of such applications have been approved; how many of such applicants have been granted such small holdings; whether the compulsory powers in the Small Holdings and Allotments Acts have been put in force; and, if so, in how may cases and in what districts.

The TREASURER of the HOUSEHOLD (Sir Edward Strachey, Somersetshire, S.): 548 applications for small holdings have been made in Gloucestershire, the great majority of which have been approved. The requirements of seventy of the applicants have been satisfied. Compulsory powers have not as yet been exercised in the county.

Mr. JESSE COLLINGS (Birmingham, Bordesley): Of the applicants approved, how many are *bona fide* agricultural labourers?

*Mr. SPEAKER: Notice should be given of that Question. The hon. Gentleman could hardly be expected to answer it offhand.

Redenham Village Green.

Mr. JOHN WARD (Stoke-on-Trent): I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether the Board has taken any steps to prevent the enclosure of the village green in the parish of Redenham, Hants, or whether the Board has any information upon the subject.

Sir EDWARD STRACHEY: The Board have made inquiry locally, and have also been in communication with the Commons Preservation Society on this matter, but they have no power to take any action in regard to it.

Imports of Foreign Fodder.

Mr. JOHN WARD: I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether the reasons for prohibiting the importation of foreign hay and straw have now disappeared; and, if so, whether it is proposed to revoke the order.

Sir EDWARD STRACHEY: The object of the order to which my hon. friend refers is to safeguard this country from the risk of the introduction of foot-and-mouth disease by the importation of hay or straw imported from countries where that disease exists, or where the circumstances are such as to afford insufficient security against its introduction. The order must, therefore, be regarded as of a permanent character.

The American Beef Trust.

Mr. HUNT (Shropshire, Ludlow): I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether, in view of the fact that foreign meat is fraudulently sold as home-grown and that the price of all beef bought and sold in this country is ruled and fixed by the American Beef Trust, he could see his way to introduce legislation to prevent this injury to our farmers and working people.

Sir EDWARD STRACHEY: The provisions of the Merchandise Marks Acts, 1887 and 1891, and the Merchandise Marks (Prosecution) Act, 1894, already empower the Board to deal with cases in which false trade descriptions of meat are given. It is not proposed to initiate further legislation in the direction suggested.

Mr. HUNT: Does the hon. Gentleman deny that it is a fact that foreign beef is continually sold as British?

Sir EDWARD STRACHEY: My Answer did not deny that. It is a matter for the Board of Trade to deal with.

Mr. HUNT: Does the hon. Gentleman intend to allow the American Beef Trust to go on robbing the people of this country?

*MR. SPEAKER: That is not contained in the Question of the hon. Member.

MR. G. D. FABER (York) inquired whether the Board of Trade took cognisance of this imposition upon the public.

SIR EDWARD STRACHEY replied that undoubtedly the Board of Trade and the Board of Agriculture carried out the duties entrusted to them by statute.

MR. G. D. FABER: Have they ever prosecuted?

*MR. SPEAKER: Notice should be given of that Question.

Charitable Pensions.

MR. LLOYD-MORGAN (Carmarthenshire, W.): I beg to ask the hon. Member for the Elland Division, as representing the Charity Commissioners, whether he can state the aggregate amount paid out of charitable funds (under the supervision of the Commissioners) in respect of pensions; and whether the Charity Commissioners propose to issue any general instructions to trustees and others administering charitable funds, with reference to existing pensioners or to the granting of new pensions after 1st January, 1909, or in anticipation of that date.

MR. SOARES (Devonshire, Barnstaple): In a Memorandum prepared by the Local Government Board last year and presented to Parliament (Cd. 3618) it was stated that the Charity Commissioners calculated that the total amount applicable to pension and almshouse charities in England and Wales was not less, and was probably more, than £661,000, and it was estimated that the annual amount distributable by weekly pensions was about £370,000. Having regard to the diversity of the trusts and the circumstances under which pensions are payable out of charitable endowments, the Commissioners do not propose to issue any general instructions on the points referred to. In cases where the trustees have a discretionary power under their trusts it will be their duty to exercise it, and in all cases it is open to trustees to obtain the advice of the Commissioners in the particular circumstances and, if necessary, a new scheme.

Scottish Fishery Cruiser.

MR. MITCHELL-THOMSON: I beg to ask the Secretary for Scotland whether he is now in a position to give information with regard to the new Scottish fishery cruiser.

THE SECRETARY FOR SCOTLAND (Mr. SINCLAIR, Forfarshire): The new cruiser has been contracted for and is being built.

Traffic in Firearms in Ireland.

MR. MACCAW (Down, W.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the police authorities have directed the attention of the Irish Executive to the traffic in firearms in various parts of Ireland since the recent withdrawal of the Peace Preservation Act; and, if so, will he state what is the purport of the representations so made.

THE CHIEF SECRETARY FOR IRELAND (Mr. BIRRELL, Bristol, N.): I have nothing to add to the reply which I gave, on 19th instant, to a similar Question put by the hon. Member for Mid. Armagh.

MR. CHARLES CRAIG (Antrim, S.): Is it not the fact that the burden of the reports of the Judges, stipendiary magistrates and the police is to the effect that the withdrawal of this Act of Parliament has been productive of the harm all round?

MR. BIRRELL: I do not think so.

Irish Rural District Law Costs.

MR. GINNELL (Westmeath, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if the Return of Law Costs of Rural Districts (Ireland), of which notice stands on the Order Paper, can be granted.

MR. BIRRELL: The reply is in the negative. I have communicated to the hon. Member the reasons why the Return cannot be given.

Arrears of Land Purchase Annuities.

Mr. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state the number of land purchase annuitants sued by the Land Commission for arrears of annuities within the present year; the results of the proceedings; have the farms been offered for sale in all cases in which the amount of arrears has not been otherwise recovered; have *bona fide* farmers bought them subject to arrears and accruing annuities; and have the net losses in all cases been, or will they be, made good out of funds otherwise devoted to relief of Irish rates.

Mr. BIRRELL: The annual Report of the Land Commission for the year ending 31st March, 1908, gives full particulars as to the payment of instalments by tenant purchasers, the number in arrears, and the proceedings taken to enforce payment whether by sale of the holdings or otherwise. The farms of defaulting annuitants are sold subject to the annuities, and the arrears due at the time of sale have, in all cases hitherto, been discharged out of the purchase money realised on such sale. There has been no final loss in respect of arrears in any case up to the present. If such loss should arise it would fall on the guarantee fund.

Irish Cattle Drives.

Mr. GEORGE CLARK (Belfast, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland what proportion of the total number of cases of cattle-driving reported by the constabulary down to the end of September, 1908, have been recorded in the official statistics of crime; and will he state what are the considerations that regulate the inclusion of some only of such cases in, and the exclusion of others from, these statistical returns.

Mr. BIRRELL: The Inspector-General informs me that of 908 cases of cattle-driving reported up to 30th September last, sixteen cases in which proceedings were taken on indictment were recorded in the Returns of Serious Crime, under the head of Unlawful Assembly. In addition, the cases in which compensation was awarded for malicious injury accompanying cattle-drives were recorded under the proper heads, but the Inspector-General is unable to state the number of cases so recorded without a detailed examination of each particular case. The principles which govern the recording of serious offences were fully explained in the Answers given to Questions put on 26th February and 18th March last, to which I would refer the hon. Member.

Firing Outrages.

Mr. GEORGE CLARK: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the official statistics of cases of firing at the person or firing into dwellings afford no indication of the number of shots which are ascertained by the police on investigation to have been fired either by a single individual or by numbers of armed assailants; and will he quote this information in respect of the cases so recorded during the past three months.

Mr. BIRRELL: The official statistics do not contain the particulars referred to in the first part of the Question. In some cases it is reported to the police that more shots than one have been fired, but the information usually obtainable on the subject is not sufficiently trustworthy to be embodied in statistics. It is to be remembered that most of the offences of this kind are committed at night, and that the assailants are not seen.

Firearms in Ireland.

Mr. GEORGE CLARK: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland what are the provisions of the ordinary law that regulate the possession of firearms in Ireland; and whether he has any official reports from the police as to whether such provisions provide effective restrictions upon the acquisition of firearms by persons who have no legitimate use for the same.

Mr. BIRRELL: There is no law which prohibits or regulates the possession of firearms in Ireland. In this respect Ireland is in the same case as the rest of the United Kingdom, save that the Pistols Act of 1903 does not apply to Ireland. I understand that the law as to taking out gun and game licences is the same throughout the kingdom. In reply to the latter part of the Question I would refer the hon. Member to my Answer to the similar Question which was put by the hon. Member for Mid-Armagh on the 19th instant.

District Council Law Cost.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if the attention of the Local Government Board for Ireland has been called to cases in which costs awarded to a district council by a competent Court have been received by the council's solicitor but not paid to the council's treasurer nor brought into the council's accounts, and in which no document has been put before the auditor to apprise him of the fact that costs have been awarded; and whether he will say what steps, if any, have been or will be taken by the Local Government Board with a view to protecting the ratepayers from loss in such circumstances.

MR. BIRRELL: The attention of the Local Government Board has not been called to any case of the kind referred to, but if any such case should be brought to their notice they will make full inquiries into the matter.

Mullingar Labourers' Cottages.

CAPTAIN CRAIG (Down, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that three labourers have recently been evicted from their cottages at the instance of the Mullingar Rural District Council on the sole grounds that they continued to work for two owners of property who have incurred unpopularity in the neighbourhood; and whether the Local Government Board sanctioned these evictions.

MR. BIRRELL: I refer to the Answer which was given to the Question on this subject put by the hon. Member for Mid. Armagh on 17th June last. The Local Government Board did not sanction the evictions. Their sanction is not necessary, nor have they any power to interfere with the action of the district council in the matter.

CAPTAIN CRAIG: Will the Local Government Board take some steps to prevent labourers being evicted from these cottages simply because they work for an unpopular person?

MR. BIRRELL: They hold the cottages weekly. It would be most improper to serve notice to quit for any such motive as that attributed in the Question, but it is extremely difficult for the Local Government Board to form itself into a Court of Inquisition to deal with these matters.

Boycotting in Ireland.

MR. LONSDALE (Armagh, Mid.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether, in view of the fact that, during the periods when the Criminal Law and Procedure (Ireland) Act of 1887 was in operation, effective relief was afforded to boycotted families in Ireland by the institution of proceedings against persons participating in acts of boycotting, and the consequent restoration of public confidence in the supremacy of the law, and having regard to the increase in the number of persons affected by boycotting since the beginning of 1906, he will consider the expediency of adopting the exceptional measures of relief which proved so beneficial in former periods.

MR. BIRRELL: I do not propose to enter upon a discussion of the highly debatable point made by the hon. Member in the first part of the Question. The Government have no present intention of adopting the exceptional procedure of the Criminal Law and Procedure Act, but will continue to take all possible measures within the ordinary law for the prevention and punishment of offences.

MR. CHARLES CRAIG asked if under the operation of the Act the number of cases was not reduced from over 4,000 to——

*MR. SPEAKER: Order, order. Notice must be given. The right hon. Gentleman cannot carry the figures in his head.

MR. WILLIAM REDMOND (Clare, E.): The hon. Member knows his figures are wrong.

Intermediate Education Board.

Mr. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that, owing to their late presentation to Parliament, the rules made by the Intermediate Education Board frequently come into operation before headmasters and others interested have an opportunity of examining them in print; and whether, having regard to the constitution of the Board and the desirability of enlisting for its work the co-operation and support of all activity engaged in education, he will take steps to ensure that in future the rules shall be laid before Parliament at an earlier period of the session and printed as soon as possible thereafter.

Mr. BIRRELL: The Commissioners of Intermediate Education are not aware of any case in which their rules have come into operation before those interested have had an opportunity of examining them in print. I would remind the hon. Member that under the statute the rules must lie before Parliament for forty days before becoming operative. The rules at present in question lay on the Table of this House for forty days before the recent recess, and no exception was taken to them. I will consult the Board of Intermediate Education as to the possibility of laying the rules before Parliament at an earlier date in future.

Threatening Letters.

Mr. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether it has been brought to his notice that the receipt by individuals of threatening letters, or affecting whom or the classes they represent intimidatory resolutions have been passed by branches of the United Irish League, or denunciatory language has been used at meetings of that organisation, has not infrequently been followed by overt outrage on the persons or property of such individuals or classes; and whether he will state what measures have been adopted, or are in contemplation, for the more effective suppression in future of acts and occurrences which directly lead up to and are conducive to outrage.

Mr. BIRRELL: The Inspector-General of the Royal Irish Constabulary informs me that it sometimes happens that offences are committed against the person or property of people who have received threatening letters or have been the subject of intimidatory resolutions or speeches as reported in the Press. In the future, as heretofore, all possible measures within the ordinary law will be taken for the punishment of persons against whom there is evidence of using intimidation, and I may add that the police invariably take every necessary precaution for the protection of the persons and property of individuals who may have been subjected to any form of intimidation.

Captain CRAIG: May I ask the right hon. Gentleman how long the Government intend to carry on the ordinary law, which has proved ineffective?

Mr. CHARLES CRAIG: And may I ask whether the inactivity of the Irish Government in following up crime of this sort is part of the policy of the right hon. Gentleman of associating the people of Ireland with the administration of justice?

*Mr. SPEAKER: That does not arise out of the Question on the Paper.

Illegal Use of Firearms in Ireland.

Mr. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been directed to the condition of affairs indicated by the progressive increase since January, 1907, in the volume of crimes committed with firearms; whether he is aware that between the years 1881 and 1906 the enforcement of the provisions of the Peace Preservation Act of the former year by successive Governments was accompanied by a large decrease in this form of crime; and whether it is proposed to continue to rely upon the provisions of the ordinary law in the expectation that an improved condition of affairs in this respect will result.

Mr. BIRRELL: As I have already stated, I am aware that during the past two years there has been an increase in the number of offences in which firearms have been used. It is also the fact that between the years 1881 and 1906, while the Peace Preservation Act was in force, there was a large decrease in the number of offences of firing at the person and firing into dwelling-houses. How far, if at all, that decrease may have been due to the operation of the Peace Preservation Act rather than to the general improvement in the state of the country is a matter of opinion, but I would call attention to the fact that during the same period there was an even greater proportionate decrease in all forms of agrarian crime, and this latter decrease can scarcely be attributed to the Act.

EARL WINTERTON: Are we to understand that it is the view of the right hon. Gentleman that there has been a gradual increase in the peaceful state of the country since the present Government came into power?

MR. BIRRELL: If the noble Lord reads my Answer he will find I did not say that.

Judge Curran and Irish Crime.

MR. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that at the Mullingar Quarter Sessions, on Monday last, Judge Curran stated that, since he last sat there, there had been some eighteen cattle-drives, and boycotting, malignant, systematic, and vindictive, has been carried on against several families in one district, the members of which seemed to have been abandoned to their fate by those whose bounden duty it was to protect them; and whether it is intended to institute proceedings against those who are responsible for the boycotting in these cases.

MR. BIRRELL: My attention has been drawn to the statement referred to. The cases of the boycotted persons are being closely watched by the police, who are affording them constant protection. One man, charged with intimidation, has been sent to prison for six weeks in default of bail, and the renewal of the licence of a publican who declined to supply the boycotted persons, has been refused by the magistrates at the instance of the police. In all cases in which evidence of a criminal offence is available proceedings will be instituted.

MR. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to the remarks of County Court Judge Curran at the Mullingar Quarter Sessions on Monday last; and whether he will state the reasons for depriving chairmen of Quarter Sessions and Grand Juries of information respecting the state of the county with which they were formerly supplied.

MR. BIRRELL: My attention has been called to the remarks of the County Court Judge. I have, however, nothing to add to my reply to the hon. Member's previous Question on the subject on 14th instant, which, I am informed, correctly states the facts.

Crofters' Commission Expenditure.

MR. COCHRANE (Ayrshire, N.): I beg to ask the Prime Minister whether he still adheres to his statement that the average cost of fixing of fair rents by the Crofters' Commission was something like 1s. 6d. per case; and, if so, whether he will lay upon the Table of the House a Return showing how this figure was arrived at.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. ASQUITH, Fifeshire, E.): My statement was perfectly accurate. I referred in my speech to legal and not to administrative expenses, and I believe it to be quite correct to say that the legal expenses to crofters do not average more than 1s. 6d. a case. The hon. Member will find the matter fully explained in a speech delivered in this House on 30th April, 1907, by my right hon. and learned friend, the Lord Advocate.

*MR. COCHRANE: May I ask the right hon. Gentleman whether he did not refer to the expenditure of £3 or £4 in similar cases in Ireland and compared that with the 1s. 6d. paid in the case of the Crofters Commission? May I further ask whether his attention has been drawn to the statement made by the Secretary for Scotland that the average cost of fixing fair rents by the Crofters Commission was £4 11s. 4d., and not 1s. 6d.

Mr. ASQUITH: What I referred to was the legal and not the administrative expenditure.

LICENSING [EXPENSES].

Committee to consider of authorising the payment, out of moneys provided by Parliament, of the Remuneration and Expenses of the Licensing Commission, in pursuance of any Act of the present Session to amend the Licensing Acts, 1828 to 1906 (King's Recommendation signified), to-morrow.—(*Mr. Whitley.*)

LICENSING BILL.

Considered in Committee.

(In the Committee.)

[Mr. **Emmott** (Oldham) in the Chair.]

Clause 10:

Amendment proposed—

> " In page 6, line 14, to leave out subsection (1).—(*Mr. James Hope.*)

Question again proposed, " That lines 14 and 15 stand part of the clause."

Mr. MOND (Chester) said that in the remarks which he had the honour to address to the Committee on Friday last, he made the statement that under the last administration it was prophesied by a member of that administration that under the Act of 1904 2,500 licences would be reduced every year. He was challenged on that point by an hon. Member opposite, and he would, therefore, like to quote a passage from the statesman who made that remark. It was made by the late Lord Salisbury in another place and these were his words—

> " Under this Bill we propose to change that possible and occasional 200 into a constant number of nearly 2,500, which is an enormous change in the direction of suppressing those licensed houses which ought to be suppressed."

He might point out that Lord Belper speaking for the Government on 2nd August, 1904, estimated that the fund would enable in one year no less than 2,240 licences to be done away with, and the late Home Secretary, speaking in the House of Commons on 10th May, 1904, held out the hope that 2,000 licences per annum might be abolished. Lord Lansdowne, speaking in another place, confirmed the late Lord Salisbury's statement that a large number of licences were to be done away with. He might point out in passing that during the passage of that Bill the reduction of licensed premises was held out as a great temperance reform, and it was now, when the Liberal Party proposed to carry out a scheme which approximated to the figures given by the right hon. Gentleman the Leader of the Opposition's own Government, that they were constantly informed that the reduction of licences would have no effect on drunkenness. He mentioned these figures because the question of numbers was intimately connected with the question of compensation. What had prevented the figures which were held out to both Houses as a great licensing reform being reached? Why, instead of 2,500, did they only get an average in the three years of 1,100 cases? It was owing to the Kennedy judgment upsetting entirely the basis on which all those calculations were made. The compensation fund was now insufficiently large to enable these reductions to take place. He would like to say a few words on the question of what the late Government intended and what Mr. Justice Kennedy's decision did. He had in his hand a report of the Inland Revenue Commissioners for 1905, and a very interesting memorandum by Sir Henry Primrose dealing with the question of how the valuation of licensed premises for the purposes of compensation should be dealt with. He would like to know whether the instructions of the Inland Revenue Department were or were not based on any information supplied to them by any responsible Minister who had taken part in the passing of the Act of 1904, and whether that memorandum had official sanction or not. This was what Sir Henry Primrose said, speaking of the value of licensed premises. He endeavoured to ascertain how the Commissioners must interpret the words in the Act of 1904, and came to the conclusion that—

> "They mean not more than the price which in the opinion of the Commissioners the owners of freehold premises might expect to obtain for them *qua* premises enjoying the privilege of a licence if sold in the open market. The Commissioners consequently are of opinion that for the purposes of their determination of the value of licensed premises any claim by the occupier of the premises, whether he be the owner or the tenant, for compensation on account of loss of trade cannot be admitted into consideration, and still less can the Commissioners take into consideration any claim on the part of the brewing owner of a licensed house in respect of brewery profits on beer supplied by him to the houses."

That was very important. The Kennedy judgment entirely reversed that last sentence. Mr. Justice Kennedy was dealing with exactly the same point in the case of the "Crown." If they looked at the letter in which the valuers for the brewers made out their statement of compensation they would see that they worked it out at the number of barrels sold and the profit made by the brewery, the total brewing profits being 16s. per barrel of beer. They added to that a profit on the right to compel the tenant to sell such spirits as the brewery company might like to supply him with, a profit of 2s. 6d. a gallon, which came to £18 a year, and it was a curious fact that such an amount should be put in an estimate of compensation, considering that as a matter of fact no spirit had ever been sold in the house. They added depreciation and fixtures and the actual amount the tenant was paying them, and they arrived finally at about £2,400. What Sir Henry Primrose and the Inland Revenue Commissioners were trying to ascertain was the rack rent value of licensed premises, and it was obviously a difficult proposition. What Mr. Justice Kennedy ought to have done was this: he should have asked himself what would the brewers have given for these premises. Let him work out whether a brewer would have given for the premises the amount claimed for compensation.

MR. YOUNGER (Ayr Burghs): The hon. Member was confusing two things. In the calculation of 16s. he had included both the retail and the wholesale profits. He would be glad to know of a brewer who made a profit of 16s. a barrel.

MR. MOND said the Judge himself did not believe that the brewers were making such a profit, and he gave them nothing like that amount. The experts said 16s., another party said 8s., and it was given at 11s. It did not include retail profits. If they had the details of the case before them they would see there was a special valuation of £224, tenant's interest for retail profits, added to the amount he had mentioned. He was not astonished that the hon. Member opposite was amazed at the assertions of brewers' experts when they claimed compensation. He had worked out a little sum. The profit which it was alleged the house made annually was £167 19s., and the amount of compensation paid for the premises was £2,000. If they took £2,000 at 5 per cent. interest, and 2½ per cent. depreciation and repairs, they got £150 a year. Did any hon. Member say that if he was the happy possessor of licensed premises and if he went to a brewer and said: "You can make £167 19s. on this house; give me £2,000, for it," the brewer would undertake the risk of the business, the trouble of manufacturing the beer and the risk of losing his business for the purpose of making £17 19s., while he (the hon. Member) made £150? He would do nothing of the kind. He would say: "How much more can I get in a tied house than in a free house; how much more beer can I sell owing to my owning this house than I could sell without owning it?" Taking that into consideration, he would make a fair offer. Mr. Justice Kennedy never allowed in the least for the fact that all the beer, or a portion of it, might be sold somewhere else. He estimated the whole trade of the brewery as being extinguished. He said they made a profit of so many shillings per barrel, and he capitalised that at so many years purchase and awarded a lump sum. That was an absolutely fallacious calculation as he would point out. Nobody would compensate the distillery whose whisky was not sold; the distiller was not the owner. Surely the rack rent of the premises was not the profit of the manufacturer plus the retail profit? But that was the figure which had been taken and which vitiated the whole of the calculation. Had the Government of 1904 intended that they could never have presented the figure of reduction of licences which they did. It had been said that this was largely a domestic question, but for all that, as the State had undertaken the obligation of seeing that the trade was not taxed too highly for compensation levies, and that a man whose house was closed did not get an unfair advantage out of the man whose house was not closed, the State must see that the compensation paid was reasonable, and that was absolutely what the Government was trying to arrive at. They were trying to arrive at the true rack rent, and in most cases, in the case of dwelling house property, the assessment to Schedule A was a very fair guide to the annual rental value. If they wished to get the rack rent—and he did not think that could be controverted—the decision of Mr. Justice Kennedy was based on a misapprehension. He could not see a fairer method than that adopted by the Government. The one reason why licensed houses were under-assessed was the remarkable method adopted in carrying out the accounts. The principle of nominal rents charged to tenants of licensed premises, rents which did not represent the real amount, had been adopted in order to make it difficult for assessment committees to find out the true rent. If a fair sum were returned for the purposes of assessment the ratepayer and the taxpayer would get what they ought to have had long ago. The fact that they had been able to escape proper taxation for so many years was no excuse for continuing it or for abusing everybody who wanted them to pay their fair share towards the rates and taxes. The unfairness of the decision became more obvious if they took the case, which was a common one, of the owners not being brewers at all; the owner who was not a brewer would probably charge to the tenant a pretty close rack rent, and he would certainly not make anything like the profit which the brewer was making by the supply of beer. Under the present system the owner of licensed premises who was not a brewer was in actual practice receiving less compensation than the owner who was a brewer. The hon. Member for Kensington said "No," but he (Mr. Mond) did not see how they could avoid that conclusion if they followed the same line of assessment as was laid down by the Kennedy judgment. Another point which he thought was of considerable importance was this: There were only two options open. If they wished to get the number of reductions which was not in dispute between the two sides of the House, that number of reductions which the Leader of the Opposition wanted in 1904 and which the Government wanted now, there were only two methods of arriving at it. They had either to increase the compensation levy or to reduce the amount now being paid for compensation. He did not see himself, in view of the fact that he could not see any distinction between what was arrived at in 1904 and what was aimed at now as regards reduction, that there was any other course open. It seemed to him much more reasonable to go back to the more reasonable form of assessment than to raise the high compensation levy which had already inflicted a very great injustice on a large portion of the trade. In his constituency he had a gentleman interested in the trade who owned one of the finest hotels in North Wales, a hotel which under no conceivable circumstances could lose its licence, and he had to pay a large compensation levy in order to pay for the extinction of a number of small beerhouses which he had assured him himself ought not to exist at all. He (the speaker) had never been able to see that that was a very equitable arrangement, and it would not be equitable to increase the compensation levy on the man with a good hotel for the benefit of the owner of a small beerhouse. Therefore, he thought the Government were quite right in adopting the latter of the courses he had named, and in endeavouring to get the compensation down to a reasonable level. He thanked the Government for the Amendment they intended to move on behalf of the licence-holders, who had not had a very happy time of it under the Act of 1904. It was very interesting to see how different was the position of the licence-holder when he was being used as a weapon to beat the supporters of the Bill, and when he was wanting money from the people who were so very fond of using him as one of their most effective electioneering agents. The licensee in the "Crown" case had been there for eighteen years. He had an unblemished character; his conduct was good; he was making £224 a year, and the brewer's representative thought he was very generously treated if he got £250—little more than twelve months profits after eighteen years hard work in that public-house. He was certain that all those who took an interest, as many of them did, in the man behind the bar, hoped that he would get now at least the minimum amount, and that his compensation would be assessed as a separate item, and not mixed up as in the past with the compensation that was being paid to the owner of the house. He hoped that there would be some further explanation of the Government Amendment as to the maintenance of the lease owing to the proposal that the monopoly value should not come into operation until seven years after the expiration of the time-limit. It would very much simplify the Bill if the Government, in addition to the exclusion of the monopoly value for seven years, would also make a close time for reductions for the seven years following the time-limit, so that there might be a peaceful time for the trade during that period. Having made the one concession it seemed to him that the other should follow; it would simplify the proceedings they proposed to adopt. Of course, a consequential Amendment would be necessary. So far as he had been able to make out, after a careful study of the Kennedy judgment, he thought it clear that it could not stand. It was based on a false principle. It was a contravention of the idea which underlay the Act of 1904, and would have to be amended; therefore the question which remained to the Committee was very largely whether the Government proposal did or did not provide the best manner of amending it. The more argument was in this direction, and the less in the direction of pure denunciation, the greater progress they would make, and the more likely they would be to arrive at a settlement. After all they were discussing a very serious and a very important question.

> "The evils of drink come home too bitterly to the hearts and consciences of all classes of the community. There is probably not a man or woman here—there is certainly not a man or woman here who has not had painful opportunities of seeing all the tragedies—the domestic tragedies, the ruin of home life, the destruction of a great and honourable career, the misery brought upon individuals and families by the reckless use and misuse of alcoholic beverages. This great and ever present tragedy——"

The noble Lord laughed.

EARL WINTERTON (Sussex, Horsham) said he was amazed at the hon. Member's method of reading his peroration.

MR. MOND said that if the noble Lord had waited a moment he would have seen that he was reading not a peroration but a quotation.

*THE CHAIRMAN: I think the hon. Member is getting a little wide of the Amendment.

MR. MOND said he was just going to conclude. He was quoting from a speech made by the Leader of the Opposition in the Albert Hall on 25th June, 1908. He knew he was a little wide of the question. They got very few opportunities of speaking, owing to the conditions under which the discussion was carried on. But he must say that those words of the right hon. Gentleman were noble sentiments which were much more finely expressed than he could hope to express them. He felt that instead of the cynical and flippant observations they had had during the Committee stage of the Bill—[Cries from the OPPOSITION benches of "Oh"]—with the single exception of one speech from the hon. Member for Gravesend, he had not heard one speech which rang with the words of the right hon. Gentleman.

*THE CHAIRMAN: The hon. Gentleman is getting too wide. These are not the kind of remarks which should be made on an Amendment in Committee.

MR. MOND resumed his seat.

MR. AUSTEN CHAMBERLAIN (Worcestershire, E.) said that at the close of the hon. Member's observations he expressed the hope that hon. Members on that side of the House would address themselves more closely to the question before the Committee, and cease their denunciations, but he fell so far from his own precepts that he was twice called to order by the Chairman.

MR. MOND said he really thought that that was a most unfair observation. He was going to make an appeal to hon. Members opposite when he was called to order because he was irrelevant. It was an unfair statement, because if he had been allowed to conclude his remarks he could have borne out what he intended to say. In all sincerity he asked hon. Members to aid in carrying through a great social reform.

MR. AUSTEN CHAMBERLAIN said that the hon. Member's observations were irrelevant and couched in language which was quite needlessly offensive to hon. Members on that side of the House. The hon. Member said that with one single exception the whole of the speeches made from that side of the House were cynical and flippant. The very fact that when the hon. Member quite irrelevantly, but for the first time in the course of his speech touched on the question of temperance, he was obliged to come to the Leader of the Opposition for a really touching appeal on that subject, ought to have shown him that the interests of temperance were as dear to hon. Members sitting on that side of the House, even if they did not approve of the manner in which they were being promoted by the Government.

MR. LUPTON (Lincolnshire, Sleaford) on a point of order asked whether the manners of the hon. Member were relevant to this discussion.

*THE CHAIRMAN said he thought the right hon. Gentleman was leaving the point now.

MR. AUSTEN CHAMBERLAIN said he quite agreed that the manners neither of the hon. Gentleman nor of himself were relevant to the question at issue, which was indeed one of the gravest that they had had to consider in the course of these debates. The particular clause and subsection on which the Committee were engaged did not raise the question of the desirability of an arbitrary statutory reduction of public-houses. If it did he would point out in answer to the hon. Gentleman that there was no inconsistency in their attitude in saying that such a reduction as was proposed was a very different thing from a reduction made on the merits in each individual case judged by those most competent accurately to understand the local circumstances. They were not discussing a question of temperance, but the treatment they would award to any trade or any individual whose property or trade they disturbed or destroyed in the supposed interests of the public at large. Even the Government and the hon. Gentleman himself would admit that the principles they should apply in the compensation of this property were the same whether it was the property of a licence-holder or any other kind of property. That the nature of the interest of licence-holders was different from freehold property was admitted by his right hon. friend and was recognised in the Act of 1904. The hon. Member for Chester summed up his argument by saying that the Kennedy judgment could not stand, and by repeating the words of the Under-Secretary to the Home Office that if the Kennedy judgment did stand the compensation levy was not sufficient to suppress the number of licences they desired to suppress and that therefore as the money would not go round on the basis of the Kennedy judgment they must alter that judgment. They must cut their coat according to their cloth, and make the compensation according to the amount of money at their disposal. That was the argument of the Under-Secretary, though not so concisely put.

*THE UNDER-SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. HERBERT SAMUEL, Yorkshire, Cleveland): No, Sir; that was not at all my argument.

MR. AUSTEN CHAMBERLAIN said the hon. Gentleman did not in the course of his very interesting speech, which was useful to both sides of the House because it was perfectly lucid and clear and left them in no doubt as to its meaning, use any argument to show that the Kennedy judgment was wrong. The hon. Gentleman did use an argument to show that the anticipation of the late Government as to the value of the houses was not realised. He said that the late Government anticipated that the value would be less and that the number of houses closed for a certain sum of money would be greater. But the calculations of the late Government necessarily depended on anticipations as to the class of houses likely to be closed. In many cases a much more valuable class of houses had been attacked than was anticipated in the earlier stages of their Bill. But let them put that on one side, and take it that they were wrong. What did that prove? It proved that they miscalculated the value of the houses, but it did not prove that Mr. Justice Kennedy was wrong in the principles which he laid down, and the Under-Secretary, with a single exception, which he had shown was not an argument, did not attempt to show that Mr. Justice Kennedy's judgment was wrong. All the hon. Gentleman attempted to show was that the compensation levy, as at present made, was not sufficient to buy in the number of houses which they had to exchange for it, and they had only two alternatives, either to increase the compensation levy or diminish the compensation. The Government thought and the hon. Member for Chester agreed that the better and easier way was to decrease the amount of compensation. The hon. Member talked about cynical proceedings, but a more cynical proceeding he had never heard than that, when they wanted a man's property which he was not willing to sell, they should acquire powers, and then when they had not money enough to pay him the value of the property they should say they must define the value in a different way, meaning a definition of value which would come within the money they had. That was what the Government were doing by this clause, and the importance and seriousness of the clause was not merely that it affected directly a very large interest, but it indirectly threatened every man who had property, business, or trade, which might, at any time, be interfered with in the course of public improvements, or be required for the purposes of the State. Could they be surprised if there was a feeling of insecurity abroad; that men were loth to engage in new expenditure, or to make large investments here, when they saw old investments treated with this levity, and people dispossessed of property with this cynical disregard of every canon of justice? The hon. Member for Chester did, in the earlier portion of his speech, unlike the Under-Secretary, attempt to dispute the merits of the Kennedy judgment. Would the hon. Member permit him to say, without meaning to be offensive, that he thought before anyone could advantageously argue the merits of a case against a judgment, he must understand it, and the hon. Member had wholly misunderstood the judgment. He would undertake to say that the hon. Member would not find a legal authority who had looked up this case who would support his interpretation of Mr. Justice Kennedy's judgment, and if the hon. Member repeated to that learned Judge the arguments he had used as being those of Mr. Justice Kennedy, his lordship would fail to recognise them. The hon. Gentleman made two statements which were, he thought, of some importance with regard to that judgment. He said that what Mr. Justice Kennedy ought to have asked, in regard to the brewer, was what value the brewer would give for the house in the open market. That was exactly what Mr. Justice Kennedy did. He asked that, and nothing more. He took evidence as to profits, and so far as he admitted it, he took it only for the purpose of ascertaining what a problematical buyer in the open market would bid. What he was asked to do was to exclude the brewer, who by the necessities of the case was the man to whom the property was most valuable, and who was likely to be the best purchaser in the open market. The learned Judge said the result surely was that the tribunal was to assess the amount of compensation by finding the price of the licensed premises in the open market, adding to that the sum, if any, for trade fixtures, and deducting from the total the price which the premises would fetch in the open market if unlicensed. Therefore the whole task of the tribunal in the opinion of Mr. Justice Kennedy was to find the price of the premises in the open market, and he had done so. The learned Judge then went on to deal with the various items which would influence the judgment of a possible buyer, and to say that these must be taken into account. He submitted that the definition which Mr. Justice Kennedy gave of that which was the subject of compensation was one which throughout this debate there had been no attempt to dispute or to disprove, and which could not be disputed, for it accurately defined that which was the subject of compensation, which they were taking away, and for which they ought to give full value. He was not concerned to say that in the interpretation and application of the judgment to every particular case the amount of compensation awarded had been right. It might have been too high or too low, because there were circumstances in the cases which were not capable of being met by fixed rules, but which might affect the price in individual cases. Some hon. Members had spoken as if Mr. Justice Kennedy's judgment fixed a particular profit and a particular term of purchase applicable to all licences. That was not so. Those were individual circumstances which must be considered in each individual case, and as Mr. Justice Kennedy said, they had to estimate the annual profit which, according to the ordinary course of the brewery trade, might be treated as being likely to be derived from the supply of liquor in the licensed premises. There was to be added in order to get the basis of the market value the rent which might be obtained from the tenant—the annual sum which he would be willing to pay in anticipation of profits which he would receive from the retail sale of the liquors supplied to him by the brewers. The annual rent having been obtained, there still remained, in order to obtain the licensed value, the capitalisation by a number of years purchase which would be affected by the circumstances of the locality, the particular business and premises, and the state of the market for this class of property. Could anyone lay down more clearly the principles by which they should arrive at the value of that which they were taking away? Mr. Justice Kennedy confessed he was unable to see in what other way the market value of licensed premises could be arrived at than that which he had pursued, and he (Mr. Chamberlain) called the attention of the Committee to the fact that there had been no attempt during the whole of the debate, by anyone conversant with what Mr. Justice Kennedy's judgment was, to dispute the principles laid down. He said that they were the only principles upon which they could act, and if too great compensation had been given in particular cases it was not the fault of Mr. Justice Kennedy's judgment; it was because, after deciding on the number of years' purchase that should be allowed, other matters, which varied with each individual case, had entered into consideration, and the tribunal had over-estimated the allowance to be made in the case then under consideration. He would refer to another observation of the hon. Member for Chester because it contained a widespread misapprehension on the benches opposite as to the effect of the Kennedy judgment. The hon. Member said that the owner of licensed premises not being a brewer got less for his interest in those premises than the brewer got for his smaller interest. That was not true. The measure in each case was not the profits of the brewer, but the value of the premises in the open market in which the brewer was a possible purchaser of a house already owned by the brewer, or of a free house owned by a tenant, or of a house owned by another brewer. The brewer only came in as a possible buyer, but owing to the circumstances he happened to be the purchaser who would give the best price. [Mr. Mond was understood to dissent from the interpretation put upon his words.] The hon. Gentleman did not attempt to argue that Mr. Justice Kennedy's principles were wrong at all; he only said that in his opinion the prices paid were too high. They often found that prices which were paid were said to be too high. There were those who said that that paid by the National Gallery for a picture was too high, but the question was, would it fetch that price at Christie's? One further observation on the question of fact as to whether or not the values paid had been too high. Were they higher than were paid for similar property altogether outside this Licensing Bill? He would undertake to say that, so far from being higher, they were lower than the prices paid when a public authority desired to acquire a licensed house, for some public improvement, under compulsory powers. The Government did not attempt to argue that the judgment of Mr. Justice Kennedy was unfair. They simply said the money would not go round, that they would have to provide a different measure of value for compensation, and they chose Schedule A assessment as that measure. Why? The Committee was sometimes told that it was the basis that the Inland Revenue Commissioners worked upon in the Memorandum issued by them in the last days of the late Government. It was suggested that the late Government had some responsibility for that circular or had given some assistance or guidance or aided in its circulation. As he had before explained to the Committee, if any member of the late Government could have been responsible for the circular it would have been himself as Chancellor of the Exchequer. But in this particular instance the Act of 1904 had placed upon the Inland Revenue a judicial function as against their ordinary administrative functions, and it would have been a very great breach on his part if he had attempted to direct them as to the way in which they ought to act. As a matter of fact, he received from the chairman of the Board of Inland Revenue a copy of the circular, already in print, on, he believed, the day before it was issued. He told the chairman that though he should read it with great interest it was a matter, not for him, but for the Board of Inland Revenue. The late Government had no responsibility for the issue of that circular. If they had disagreed with it they could not have altered it. It would have been obviously improper for him to dictate to the Inland Revenue and say that they should not take a line which they thought was right. The Under-Secretary for the Home Department drew the inference that if the late Government were not officially responsible for this Memorandum, it might, at any rate, have regard to what was in their mind at the passing of the Act of 1904. What was in the mind of the late Government, on the passing of the Act of 1904, was that those who were interested in the licences that were to be destroyed should be compensated on the basis on which they were taxed. They were taxed on the market value of the interest they held, and it was intended that they should be compensated on that interest. Would this circular of the Inland Revenue compensate on that basis? He had before him the cases of a dozen houses which fell to pay estate duty between the years 1901 and 1908. He believed they were all London houses. Among the twelve two were freehold, and were accordingly assessed for death duty as freeholds. For the purposes of comparison, he had converted the value of the non-freehold premises into what it would have been had they also been freehold. The total freehold value of those twelve licensed houses was £288,600 odd. That was the amount on which they would be taxed by the Inland Revenue in proportion to the interests concerned. When they came to assess their value for the purposes of compensation they assessed the value of these houses at £168,500. The Government, not content with that rather severe cutting away of the value, had actually reduced the amount to £51,400. Could anything be less equitable?

Mr. LEIF JONES (Westmoreland, Appleby) asked was the value in the licence alone or in the premises, in the structures, and the effects that went with them.

Mr. AUSTEN CHAMBERLAIN said the value for death duties was, of course, the whole value, but the hon. Gentleman's observation did not affect the argument. In the case of compensation, they had to allow for the interests not dealt with. But whatever allowances were made there was no possible manner in which it could be shown that when a man's property was taken away in this manner he should be paid compensation which did not in any way approach the scale upon which he was made to pay taxation. The Schedule A basis was a totally inadequate basis to take for the payment of compensation. Upon this point the Under-Secretary for the Home Department on the previous Friday attempted to make a case for the Government, a thing which no one had before attempted. The hon. Gentleman said that a great part of the business was goodwill, and that goodwill was of two kinds; that in so far as it was personal to the tenant it was compensated in a provision of which too little had been said. But the compensation made to the tenant was only the compensation made in the Act of 1904. In this Bill it was less than that, and it was only by Amendments made by the Solicitor-General, who had incorporated words from the Act of 1904, that the compensation had been made equal to the compensation given in the Act of 1904. The hon. Gentleman said that, so far as the goodwill was the result of the tenant's personality and activity, it was compensated for, and that, so far as it was attached to the house, it ought to appear in Schedule A, and would be compensated for when it appeared in the schedule. But only a very small part would appear in Schedule A. The greater part would appear in Schedule D. They should compensate under Schedule D.

*MR. HERBERT SAMUEL: Whose Schedule D? The owner's or the licensee's?

MR. AUSTEN CHAMBERLAIN said both the owner and the licensee. Undoubtedly the main portion of the goodwill appeared in Schedule D and paid tax under the guise of income-tax on profits. How ludicrously unsuitable therefore, was the schedule a basis for the Government's purpose. Let hon. Members turn to the list of licensed premises in the London County Council area and deal with the assessment of those premises under the Licensing Act. The assessment of licensed houses in London under Schedule A was singled out as being a good assessment different from that in the country. The assessment was established on practically the same basis throughout the Metropolis. If, therefore, the Government was right in assuming that the Government assessment bore some relation to the value of the property, then it would be found that this value was given in the purchase price of the house. But the number of years purchase of the rateable value given to these houses in the schedule varied from three years to 128 years, and touched almost every immediate figure according to the circumstances of each particular house. Under Schedule A the assessment in London was extremely well done, in the opinion of competent authorities, at any rate one of the best authorities in the country—but no possible reason could be given which did not show that assessment under Schedule A was an untrue test of the value of a licensed house. The Government, however, had chosen it, he did not know why, except that it would greatly reduce the compensation to be paid, and that it enabled them to do what they would not otherwise be able to do with the funds at their disposal. The only justification they had given was this Memorandum of the Board of Inland Revenue, which, when the brewers took it into Court, the Law Officers could not support. The legal adviser of the Inland Revenue abandoned it, and declared that it was not his, and that he had not been consulted about it. The Judge rejected it, and the Government wisely refrained from any appeal against the judgment. What was the value of that document which was quoted to them as showing the way in which they were to arrive at the valuations? It was really ridiculous as an argument in favour of the course pursued by the Government. This was in many respects a very technical question and they who were laymen feared to tread in these perilous legal paths; but he thought the subject was made more complicated than it need be by reason of the manner in which it had been discussed in Committee. The Opposition reduced the question so that every Member of the House could test it for himself. Their contention was simply that when they took property away for the public interest, they were bound to pay the owner of that property the price for which he might have sold it in the open market. They asked for no more, and they contended that they should have no less. The fact that a man belonged to a trade which was unpopular with hon. Gentlemen opposite afforded no justification for treating him differently from his fellow men. Such treatment could only raise among the holders of other property and other securities a feeling of uncertainty and alarm which had no little to do with the distress which they were discussing the previous night, and would continue to react disadvantageously upon our industrial position as long as the Government persisted in measures so inequitable and unjust as the clause which they were considering.

*MR. MONTAGU (Cambridgeshire, Chesterton) said the right hon. Gentleman, had begun with a discussion of the Government's attack on property, and his observations sounded like a faint echo of the speech which he might have delivered yesterday. Those on the Government side of the House differed from the Opposition in their interpretation of the conditions on which a licence was held. The Opposition alleged that the licence-holder had in the licence a property which would be renewed for ever, whereas they on the Government side looked upon it as, in fact and in law, a licence granted for one year and no longer. That had been stated over and over again in the debates. Between these two views a compromise, based on the facility with which a prudent trader could get out of his investment, had been incorporated in the Bill, namely, the fourteen years time-limit. The right hon. Gentleman had been discussing this subsection as though Section 3 of the Bill had never been passed. It seemed to him to be absolutely necessary to take into consideration the fact that what they had to compensate for under this Bill was the loss of a licence held subject to good behaviour, for fourteen years. That had been determined by Section 3 of the Bill. Having decided that, was it not fair to say that this Bill gave to the licence-holder and to the owner of the licensed property fourteen years of an absolutely secure possession of his licence in exchange for the one year's precarious tenure which he had previous to the Act of 1904? If in the fourteen years the holder lost his licence for any other reason than misconduct, he was to be compensated, and for every year of that fourteen years security the holder was deprived of, he got a further instalment of compensation. Upon what were they to base this compensation? Why, surely, the annual value of what they took away.

MR. YOUNGER asked the hon. Member if that argument applied to licences in Wales under Clause 9. They might be taken away to-morrow.

*MR. MONTAGU said that compensation would then be given. The annual value of what they took away partly accrued to the owner of the property and partly to the tenant. So far as he understood, the right hon. Gentleman opposite in the comparison he made, omitted to take into account that over and above the difference between the two schedules, with and without a licence, suggested by the Government, there would, at any rate, be something payable to the tenant or employee. Under the Act of 1904 there was nothing for the tenant or employee, and what he got was carved out of the compensation given to the owner. Under this Bill it would be something additional, and in his judgment a considerable amount should be taken into consideration in respect of the tenant's interest in the comparison which the right hon. Gentleman had made. He did not think that anyone who had listened to the speech of the hon. Member for Lincoln on Friday last could remain in doubt that there was a very good case made out for the statement that throughout the country licensed premises habitually escaped their fair share of taxation. The right hon. Gentleman had been most eloquent on the subject of the Kennedy judgment, and on the fact that they had not proved that judgment to be wrong, but he had admitted, or, at all events, had not denied that what the Kennedy judgment awarded to dispossessed licence-holders was far in excess of what his friends intended under the Act of 1904.

MR. AUSTEN CHAMBERLAIN: I certainly did not say anything of the kind.

*MR. MONTAGU said the right hon. Gentleman had not denied nor was it controverted after the quotations and figures given to the House on Friday by the Under-Secretary for the Home Department, that during the whole course of the debate the statement was constantly made that it was not the anticipation or intention of the promoters of the Act of 1904 that compensation should be so large as it had been under the Kennedy judgment. If it was contended that the Kennedy judgment was fair, then it might be held that those who were responsible for framing the Act of 1904 intended that there should be higher compensation. The right hon. Gentleman had gone on to say that one of the great fallacies of the scheme of compensation for which the Government was responsible was that it did not take into consideration the profits under Schedule D. He would like the right hon. Gentleman to explain what he meant. There were no owner's profits in the public-house returns under Schedule D. The profits under Schedule D would be compensated for in what was given to the tenant. These were the general brewery profits under Schedule D, but the Government would not concede that the wholesale profits of the brewers returned under Schedule D should be taken into consideration at all. Such profits were independent of the particular licence, and a large portion of them might have be gained on some other licensed property, so that it would be absolutely illogical and unfair that they should be taken into account in considering compensation. Having made that exception of the wholesale profits of the brewers, there was nothing left which would not be included in a fair assessment, under Schedule A, of the value of the licence. Therefore, having regard to the fact that at the end of fourteen years the licence was to be granted as a new licence, he asserted that no real criticism which would hold water had been made on the Government proposal as to compensation. Under the concessions foreshadowed by the Prime Minister, which might be inserted on the Report stage, there was to be a modification of Section 3 of the Bill which affected this subsection (1). Something more was given to the licence than the fourteen years security given in the Bill as it stood. It was not twenty-one years security; it was fourteen years security, with seven additional years to run, about which there were two elements of risk. One was the possibility, to his mind the not very probable possibility, of the carrying of a local option resolution. He attached very great importance to the recognition of the, to him, incontrovertible principle of local option, but it was too much to expect that the first, or even the second, time a local option vote was taken it would be successful. After all, there were only to be two, or in exceptional cases, three occasions on which a local option poll could be taken in the seven years, and even the most sanguine temperance reformer who hoped most from local option would agree with him that even the third time there was not a very large probability of local option being carried. The good which was to come of it would have to be done by an arduous course of education of local and general public opinion.

*THE CHAIRMAN: I am afraid the hon. Member is getting a little wide of the Amendment. The question of local option can only come in as affecting the question of compensation. The hon. Member seems to be going beyond that.

*MR. MONTAGU said he was going to suggest that any one of the seven years coming after the end of the reduction period was not to be considered of equal value to the tenant or owner of licensed property as any one of the years coming in the reduction period, because there was a slight risk of local option, and he was going on to argue that as the local option risk was, to his mind, a very small one, the value of each year was greater than it had been sometimes argued ought to be attached to it. He was going on to suggest that in view of this extra seven years a few extra years purchase should be added to the compensation outlined in the Bill, not based on a certain extra run of seven years, but on the slightly diminished value of that run owing to the risk, which he argued was slight, of the carrying of a local option Resolution. He should like to ask the late Chancellor of the Exchequer whether, in his opinion, the Schedule A valuation of licensed premises was on the whole at the moment a fair one, and whether he considered there was no room for the revaluation laid down in the Bill. After he had answered that, he would ask him whether he considered there were any elements in the value of the licence which were not included in the proper Schedule A valuation except these Schedule D profits which he did not understand otherwise than as the Schedule D profits of the brewery as a whole. If these two matters were cleared up, they could hope to come to some agreement instead of constant assertion on one side and denial on the other.

MR. AUSTEN CHAMBERLAIN: I will answer the second question first. I consider the elements which have to be taken into consideration, in determining the value of that which we take away when we close a licence, ought not and cannot appear in any shape or be represented in any form in Schedule A. Therefore, it does not matter whether Schedule A is a fair or unfair assessment, because, in my opinion, even if it is a perfectly fair assessment it cannot be used as a basis for the calculation of value.

*MR. MONTAGU: Then all I can say is that the repeated efforts of hon. and right hon. Gentlemen opposite have failed to identify these mysterious items which are not and cannot be included in Schedule A value.

MR. SAMUEL ROBERTS (Sheffield, Ecclesall) said the question before the Committee was how much compensation was going to be paid under the Bill for houses whose licences were taken away during the reduction period. Hon. Members said the Kennedy judgment was wrong, but it was not appealed against. Why not? The Law Officers of the Crown agreed with the Judge. He understood they actually gave up the argument. The Lord Chief Justice, in a case he had heard this year, said of the Kennedy judgment—

> "So far as it is necessary to consider that judgment as bearing upon Section 2 of the Act of 1904, I do not see how it can possibly be attacked. It must be taken to be good law."

*MR. HERBERT SAMUEL: No one here would presume to say that Mr. Justice Kennedy's judgment was wrong in law. All we say is that the principles on which it is founded are principles with which we disagree.

MR. SAMUEL ROBERTS contended that those principles were right. What had the Court to decide in that case? The object was to arrive at the value of the licence which was taken away; that was to say, the difference between the value of the premises licensed and unlicensed, plus something for depreciation of fixtures and fittings. Under the Act of 1904 it was provided in Section 2 that if the parties should not agree upon the price, it was to be fixed by the Commissioners of Inland Revenue. Under the Finance Act of 1904—

> "The principal value of any property shall be estimated to be the price which, in the opinion of the Commissioners, such property would fetch if sold in the open market at the time of the death of the deceased."

The Commissioners thought, as a matter of convenience, they could arrive at the value by capitalising the annual value, as determined by the income-tax assessment under Schedule A, and generally they capitalised it at 4 per cent., namely, twenty-five years purchase. The Judge in the Kennedy case said the value did not depend upon the assessed value at all. The assessed value had nothing to do with the market value. What it depended upon was what the property would fetch in the open market, and inasmuch as brewers generally were the large buyers of these houses they must let the opinion of these brewers come into the matter as to what profit they would be likely to expect if they purchased the property. That was the principle which was laid down by the Royal Commission, whose Report said—

> "While the fact that the house is licensed may be considered to some extent in the assessment, it is tolerably certain that the goodwill cannot be considered at all, but the licence and the goodwill are the things for which compensation is given and not the building, which the owner would retain."

Under the decision of Mr. Justice Kennedy the "Crown" at Cobham was valued by the Court at £1,497. The

Commissioners had fixed the value at £455, but under this Bill the value would be only £52—one-thirtieth of the value which was found by the Court. He was simply quoting that figure to show what a very great difference there would be between the compensation paid under the Bill and the compensation arrived at by the Courts. There were forty-three London houses dealt with last year. The actual compensation was £104,000. Under this Bill, in the first year of the reduction period, that would be reduced to £18,000, and in the seventh, to only £10,000, or one-tenth of the amount actually given last year. The Government proposed to give the value of an annuity of the annual value of the House. The average period of the annuity would be five and three-quarter years, and that would have to be taken as the multiplier, as compared with twenty-five years which was taken generally as the multiplier before Mr. Justice Kennedy's decision. It was totally inadequate in every way. It worked out in practice in various ways according to the situation of the houses. It might work out to be a half or a twentieth of the true market value, and in some cases the value might be nothing at all. There were cases where the public-house might be of the same value with the licence as without it. In such a case the compensation was *nil.* He quoted that to show the injustice. There was a fully licensed public-house in Clerkenwell. This case was vouched for by valuers of experience. It was closed during last year under the Act of 1904. The total amount awarded was £2,424, of which the owner got £2,020. As the estimated income-tax assessment of the premises was the same, whether licensed or unlicensed, the compensation under the Bill would be *nil,* the goodwill having been destroyed by the State. Was that justice? If property was taken away, the ordinary rules of justice prevailed in this country—that the market value must be given. They were paying this compensation out of moneys contributed annually to the Compensation Fund. It had been stated that when the Act of 1904 was before the House it was understood that compensation would not be arrived at on those lines. A little circular was published by the Home Office in May, 1904, signed by the Under-Secretary to the Home Department, and it laid down that the valuation of licensed houses came under the general rule applicable to all properties under the Finance Act of 1894, which was the price the property would realise if sold in the open market. Therefore, it was in the mind of the Home Office that the ordinary rules of valuation would be applied in fixing the compensation. Under the present Act the minimum was fixed, but under this Bill that was not so, and there was no right of appeal. He was aware that the Commissioners of Inland Revenue might add something to compensate the publican, but there was no express obligation upon them. About 11 per cent. of the total amount of the compensation allowance under the present law had been given or allotted to the licence-holder, and where the licence-holder had no substantial interest in the premises it amounted to about 10 per cent. They had received no information from the Government upon this point. Hon. Members opposite had expressed sympathy, and had urged that they should receive more, but they had been given no information as to how they were to receive more. No appeal and no minimum had been fixed. He hoped that the Government, even at the last moment, would decide that if they took property for public purposes compensation ought to be allowed at the full market value, and if full value could not be given out of public funds it ought to be given by the trade itself.

*MR. LEIF JONES said they had heard a great deal about the Kennedy judgment, and the interpretation to be placed upon it. Although the opinion of one who was not a lawyer on a legal judgment could not carry much weight, still he brought to bear upon it ordinary common sense, and he ventured to assert that the right hon. Gentleman the Member for East Worcestershire had not put the whole meaning of the Kennedy judgment before the Committee in the extract he had read. That judgment also laid down that—

> "In the case of an owner who is not a brewer and who let the licensed premises to a tenant you may be able to find the market value by capitalistion of the annual value based upon the true rack rent."

That showed that Mr. Justice Kennedy had in mind exactly the same thing which the late Government had in view when introducing their Bill in regard to free houses, and which the present Government had embodied in this Bill. That was clearly the intention of the Government of 1904 when they introduced their Bill. [An HON. MEMBER: Not at all.] He did not wish to repeat extracts from the speech of the late Solicitor-General and the ex-Home Secretary who introduced the Bill. The right hon. Member for St. George's, Hanover Square, had put forward the peculiar doctrine that because no words had been quoted on this point from speeches made by the Leader of the Opposition, therefore the remarks of the other members of the late Government carried no weight as a guide to the intentions of the Government of the day. The late Prime Minister himself spoke in the debate on the introduction of the Bill, and he used these words, again showing what was in the mind of the Government in regard to the valuation of a licence. The right hon. Gentleman said—

> "My right hon. friend the Home Secretary told the House that the machinery by which the value of this kind of property is to be estimated is precisely the machinery which determines the amount at which it is to be taxed. Do hon. Gentlemen really think it can be taxed on one value and dispossessed on another?"

Those were the views of the Leader of the Opposition. He accepted the theory that the assessment for taxation and compensation should be made upon the same basis. Their complaint in regard to the Kennedy judgment did not arise in the case of a free house. It only arose when they applied the same rule of interpretation to the tied house as to the free house, and they contended—and this was a clear issue—that the brewery owner got more compensation than the owner of a house who was not a brewer. That never was the intention of the Act of 1904. It was unjust that because the owner of a public-house happened to be a brewer he should receive more compensation than the owner who was not a brewer. There was no difference in regard to a free house, and it was only in the tied house that the difference arose. They found that taking the wholesale profits of the brewer, as a means of arriving at the value, resulted in giving far more compensation than was just for a great many houses. A friend of his who was a farmer believed in brewery investments in spite of all his persuasions, and he derived yearly a large return from them. He had complained of what he (the hon. Member) was doing, and he explained that he was getting on extremely well at present. His friend told him of the case of a public-house which his brewery purchased in the country for £200. Last year that house was closed under the Act, £400 was paid as compensation for the licence, and the brewery company were allowed to retain the house for any other purpose they liked. There was neither sense nor justice in paying twice as much as a house cost and at the same time leaving the house in the possession of the same owner.

EARL WINTERTON: As the hon. Member has repeatedly pressed for specific cases, perhaps he will give the Committee the name in this instance.

*MR. LEIF JONES said he would not give the name, although he was willing to furnish the noble Lord with it privately. There were many cases where it would be more profitable to the brewery to close down their houses but for the prospects of compensation. He could give instances of houses at present losing money which were being kept open merely to obtain compensation under the Kennedy judgment. That was not the intention of the Act of 1904, and he was sure it was not the intention of this Parliament. If they paid more than the actual loss incurred, they would be doing an injustice to the nation, because the money paid was money which might otherwise be used for other taxation purposes. His complaint all through had been that public-houses were assessed on one basis when it was a question of the payment of rates and taxes and on another basis for compensation. There was a return of 115 houses in regard to which the licences were refused renewal in London last year. The compensation amounted to £327,000, whilst the average net assessment to local rates was £70. He did not know the value of the houses without licences. The difficulty of arriving at any comparison was admitted by the right hon. Gentleman the Member for East Worcestershire, who said that he could not in the least estimate what was the remaining value when the licences had been taken away.

MR. AUSTEN CHAMBERLAIN said he had omitted to give the figures, but he would give them now. The amount treated as a freehold was £288,600. Allowing for the estimated value of the freehold premises when unlicensed, the amount left to represent the value of the licence was £255,000, which was the sum comparable to the other figures he had mentioned.

*MR. LEIF JONES replied that that meant that only one-ninth of the whole value of the licences and buildings was taken as representing the value of the freehold. How could they accept such a basis as that?

MR. AUSTEN CHAMBERLAIN: Those figures are certainly more valuable than the hon. Member appears to think.

*MR. LEIF JONES said the right hon. Gentleman must forgive him if he declined to accept as conclusive a valuation of that kind. The right hon. Gentleman had referred to houses in London where the compensation money paid was three times the annual rateable value up to 132 times the annual rateable value. The average compensation was forty-one times the annual rateable assessment. He maintained that forty-one times the annual assessment was a great deal too high a figure to pay as compensation in the case of the non-renewal of a licencee. Very singular statements had been made in regard to this question by people who posed as financial authorities. On 18th March, Lord Rothschild delivered a remarkable speech to the debenture-holders in the City of London, in which he referred to this clause in the Bill. He said—

> "The compensation you are to receive under the Bill is of a meagre and unsatisfactory character. I shall not go into details."

He thought Lord Rothschild displayed a wise discretion in not going into details. Lord Rothschild continued—

> "It suffices to know that for the purpose of taxation your property is valued at a high rate, while for the purposes of compensation it is valued at not a quarter the valuation of taxation."

He had tried to understand that sentence, but he could not. Certainly there was nothing in the Bill to justify the statement. It was the very reverse of the truth. The clause laid it down before the Committee that there should be one assessment for all purposes and that brewers and owners of public-houses should pay and be paid on the same basis; and that they should not any longer when it came to compensation be paid on a high valuation, and when it came to taxation pay on a very low valuation. The hon. Member for the Ayr Burghs said, and not without justification, that, after all, the brewers were not altogether responsible if their houses were under-assessed. The hon. Member said thatin Scotland, where the authorities were sharper and were armed with stronger powers by Parliament, houses were not under-assessed. The hon. Member also said that it seemed as though brewers were expected to be a little better than angels in this matter. Well, the supporters of the Bill were going to help them, they were going to try to make them — he did not wish to use any offensive word—honest by Act of Parliament, and to make them in their own interest assess their premises at the correct figure. If hon. Members appreciated the quotation he had made from Mr. Justice Kennedy they would see that the real difficulty arose from the fact that tied houses were not let at rack rents. There was no difficulty in the valuation of free houses, but only in tied houses where the rent was nominal. By the proposals in the clause a gentle compulsion would be applied to owners of tied houses. It would be their interest to estimate the house at its full value, but not at a higher figure. It would no longer be to their interest to conceal the real value of the house. He maintained that thus justice would be done alike to the brewers and to the public who had been so long defrauded by the under-assessment of these houses. The Bill was a great advance on the Act of 1904. It contemplated as a normal arrangement a free house and not a tied house That was a most important principle for the House to assert. The present was not the first time that Parliament had resented tied houses. The Beer House Act, frequently referred to in the present debates, was largely intended to prevent the tied house system growing up. He was thankful to say that the Bill contemplated the free house as the normal type of house in future. It was very difficult to ascertain the real value of a tied house, and he hoped the clause would secure that result. The weight of the present Bill was all on the side of the free house, while the weight of the Act of 1904 was all on the side of the tied house. The change was to the public advantage, for the tied house system had been very injurious not only to the public but to the *status* of the men carrying on the trade, and generally to the interest of all concerned in this matter. Now he came to the Government proposal, with regard to the number of years compensation. He thought hon. Gentleman who were pleading the cause of the owners of the houses had shown themselves a little ungrateful for the latest concession which the Government announced on Friday. Personally he had been engaged in justifying the Bill as just and generous on a fourteen years basis. The Government had, in response no doubt to the arguments of the other side, granted a considerable concession beyond fourteen years. The position at present was that every licence had a fourteen years secure run and a chance of seven years more, and that if the house was extinguished during the reduction period it was to receive the value of the unexpired period plus the value, whatever it was estimated to be worth, of the seven years subsequent run associated with the risk of magisterial action and popular action by means of local veto. He had no means of estimating the total value of that concession, but he should say that it was certainly not less than a three years certain run, and it might be a good deal more. In any case, it could be insured. The risk of closing by justices and by popular option was not so heavy that it could not be easily insured against by the trade, which would then have no compensation levy to pay. He thought that in making the concession the Government deserved recognition by those who were defending the position of the owners of the houses.

*MR. YOUNGER: Before the Act of 1904 it was impossible to insure against a withdrawal of a licence owing to the Justices' action in some districts. No insurance company would take the risk. Precisely the same thing would occur under the Prime Minister's concession.

*MR. LEIF JONES said he was not at all sure if that was accurate; but he was sure that if the hon. Member would come to Lloyd's they would be happy to insure for him any of the houses about which he found difficulty.

MR. YOUNGER said the insurance companies would refuse to take the risk.

*MR. LEIF JONES said he was aware that the Licence Insurance Corporation had refused. That was an institution run by brewers and they would not in 1903 and 1904 insure a risk of that kind, but he had always regarded that as a move in a political game. He maintained that the risk was insurable. Much had been made by hon. Members opposite of the injustice which they said would be meted out to a man who would lose his licence near the end of the reduction period. He had been at pains to go into the arithmetic of the Government proposal, and, whatever might be thought of the injustice of the original proposal, he contended that the payment made to a man at the end of the thirteenth year was exactly the same as to a man at the beginning. He would prove that. Suppose that on the assessment a house was worth £500 a year, and that the licence was taken away in the first year, the licensee was to receive an annuity for fourteen years. That was equivalent to ten and a half years purchase of the £500—that was to say, £5,250. Suppose that the licence ran for twelve years and was taken away in the thirteenth the tenant would get the £500, of which the present value was about £300, but he would have had twelve years run of the £500 a year all the time for his licence, and the present value of that twelve years run would be about 9·9 years purchase. That would amount to £4,950, and, adding the £300 for the lump sum, they got the exact figure of £5,250, the very one they arrived at if they put down the house in the first year. He ought to add that these calculations were made on the fourteen years period. He had not made a calculation based on the subsequent concession. He thought the Government had been very generous in making the concession of the subsequent period. [OPPOSITION cheers.] Hon. Members might cheer ironically, but, after all, there was a delicate balancing of accounts in this matter. They were balancing the financial interests of the trade against the moral well-being of the nation. It was not very easy to decide the exact and just balance in that case. It was said: "The trade pays. Why should they not get as much compensation as they care to pay?" It was perfectly true that the levy was paid by the trade, but the public paid for it through the trade. And if the public eventually paid that money, why should it not be used for other purposes? But there was another way in which the moral interest of the community was affected by these concessions. They spent last Friday a good deal of time in discussing the needs of Wales. This concession affected what they did for Wales, because it was pointed out by hon. Gentlemen opposite that Wales was going to draw funds from England to put down the public-houses in the Principality which they did not require, that Wales was going to rob England and gain benefits at England's expense. But if these concessions went on, there would be no money in the compensation fund for Wales to draw upon. It was not right that Parliament should yield to the insatiable demands of the trade, and that these social reforms so urgently demanded should be kept waiting. The trade had lived under the shadow of legislation by Parliament during the whole period of its existence. There never had been a time when Parliament had not been altering the law affecting the trade. No rights had been established in the trade which were ever thought to be permanent rights. Reference had been made to the beer-houses being now treated as ordinary public-houses, but Parliament had never given up its constitutional right to deal with the beer-houses. There was always the probability that the law would be altered in the public interest. The expectancy conferred upon the trade was limited by any change that might occur in the public view. Parliament had never given up its right to change the law if they thought the public interest demanded it. The primary duty of Parliament in this matter was to safeguard the public. While he had no desire to inflict hardship upon those engaged in carrying on the trade, he was afraid that the public welfare might be sacrificed to a too tender consideration for their financial interests.

*MR. CAVE (Surrey, Kingston) said that the hon. Gentleman had repeated in the last part of his speech very much the statement made by the Under-Secretary for the Home Department on Friday last. Both admitted, in fact, that but for the necessity imposed on them by the increased reduction of houses under this Bill, they would not have proposed a reduction of the scale of compensation. The motive which underlay the main part of this clause, and which determined the Government to pay compensation on a lower, and, he thought, unjust scale, was the need of money for the purpose of reduction under Clause 1 of the Bill.

*MR. HERBERT SAMUEL said that that was not his argument. He was sorry he did not make himself clear. What he said was, in the first place, that the Government considered that the sums paid under the Kennedy judgment were grossly excessive and the valuation wrong in principle. But if it was said: "That does not matter to you, because it comes out of the trade; why, therefore, not let it alone?" the answer was: "We cannot let it alone because we must provide a fair and reasonable basis of compensation in order to be able to effect the necessary reduction."

*MR. CAVE said he did not think his statement was different from that of the hon. Gentleman. What the hon.

Gentleman said in effect was that the determining motive of the change was the question of providing compensation for more houses. Of course he said he thought the lower scale was fair, but he also said that but for the need of providing compensation for more houses they should not have made any change. Therefore the motive of the change was the need of money for the further reduction of houses. Did it not occur to the hon. Gentleman that the very existence of that motive must create some bias when the Government came to consider which scale should be applied? But the real question before the Committee was whether the houses to be suppressed during the reduction period were to be paid under the Act of 1904 at market value, or were to be paid at assessed value? After all, the main point was that the Act of 1904 gave market value. It took the value in the market as a test of compensation and not the value in the rate book or assessment. In regard to the Kennedy judgment the hon. Gentleman said on Friday that the decision came as a surprise to the magistrates. What reasons had he for saying that? He himself knew that to one body of justices who knew most about the case the decision came as no surprise at all. The case came from one of the home counties, and the justices offered to fix the compensation at a certain sum. The owners, somewhat unwisely as he thought, would not accept the offer. They went to the Commissioners of Inland Revenue, who awarded a sum equal to about half the sum offered by the justices. The owners then appealed to the High Court, and Justice Kennedy restored almost the exact sum which had been given by the justices. So far from the decision being a surprise to those justices, they were able to say that the High Court had decided that they were right. The hon. Gentleman also said that the judgment was a surprise to the Ministers responsible for the Act. He would point out one fact. In 1904 Ministers estimated the value of the compensation at sums varying from £500 to £600, and in one case to £800 per house. In the first two years of the operation of the Act that prediction of 1904 was almost exactly fulfilled. It was true that in the third year there was a different state of affairs and the sums paid were higher. But one reason at all events for the increase was that the justices then began to deal with larger houses, and it was only to be expected that the estimate of 1904 would be exceeded. But, after all, the question was not what was expected, but what was right and proper? He was bound to say that he had listened to the speeches from hon. Gentlemen opposite on the Kennedy judgment and, with all respect to those hon. Members, he believed that they had completely misunderstood that judgment. Even the Under-Secretary seemed to think that the Kennedy judgment only applied to tied houses, and that some special compensation was to be given to the brewers who were the owners of the tied houses. Nothing of the kind was involved in that judgment. The whole principle of the Kennedy judgment applied just as much to the free houses as to the brewers' houses. What the learned Judge laid down was that they had to consider not the present state of things when the house was shut up, but a hypothetical state of things—what the owner would get if the house were sold in the open market. The Judge said that the best bidder in the open market was the brewer, for the house would be valuable to him as an outlet for the sale of his own beer. Then the Judge inquired what would the purchasing brewer take into account in making his bid? He would take into account first, the value of the house as a place for retail trade, and secondly, the fact that if he bought the house he would be able to tie it to his own business as a brewer, and so by means of the house he would get both a retail and a wholesale profit. With that object in view the brewer would inquire what number of barrels of beer were supplied to the house, and so calculate what amount of profit he would make if he bought the house. The whole of this argument would apply just as much to the free house as to the tied house. The Judge was simply inquiring into the market value of the house at the moment of buying. He would only add that in a subsequent case the Court of Appeal expressly approved of the Kennedy judgment and said that no other decision could have been arrived at. So much for the existing principle. Now, let him compare with it the new scale proposed to be set up under the Bill. He accepted the very useful division made by the Under-Secretary when he said that there were two questions involved, namely, first, how the annual licence value should be ascertained, and secondly, what number of years purchase of the value should be given. He would not trouble the Committee with any argument as to the number of years purchase, for once they proposed a time-limit for the general body of houses they could not give the full number of years purchase for houses suppressed. He thought the number of years was unfair to the houses, but that injustice was bound up with the injustice of time-limit in general. He would not, therefore, now argue the number of years purchase. What he wanted to direct the attention of the Committee to was the manner of estimating the annual licensed value. Was that to be estimated on the income-tax assessment or not? He contended that the burden of proof that this was the right mode of assessing the annual value rested upon those who maintained that it was, because to begin with no Court in the world would take assessment as a test of value. They knew that in consequence of that, counsel for the Crown in the Kennington and other cases had not relied on it. In London to-day they could find no numerical relation between assessment and compensation. Therefore he thought the burden was on the other side. Look at the manner in which assessments were made. The overseer or the official who undertook the duty of assessing property valued it not for the purpose of purchase or compensation but for the purpose of rating. He was dealing with a district in which there were many thousands of houses. He had to do the best he could, and he made what oftentimes was a somewhat rough valuation of properties for the purpose of assessment to the public rate, but, of course, he could not look into the details of every house. Unions and districts differed very much in their methods, and all of them knew that in one case they got a valuer who put houses high, and in another one who put houses low. It mattered very little, provided they were all assessed on the same basis, and paid rates on that basis. It mattered little or nothing whether one paid a rate of 6d. on a low assessment or a 5d. rate on a high assessment, as the amount of cash paid would be about the same. But, of course, the moment they were going to take these figures as the basis of purchase or compensation, then the matter was extremely important, and it could no longer be said that the general scale of assessment was immaterial. The Under-Secretary said that the Schedule A assessment ought to include goodwill, and also the value of the "tie." He might be right; it was a very doubtful point, and experts differed on it. But assuming that the assessment ought to include goodwill, he knew that, in fact, the assessment in very many, indeed, in the majority of cases, did not include goodwill. Perhaps goodwill ought to be there, but it was not there, and in most unions in the country they would find nothing like a proper allowance for goodwill. He found in London, where the thing was scientifically done, the settled practice was to allow only a percentage on half the premiums paid for a house. Therefore, in London only half the goodwill was taken into account. Was it not true to say that by basing compensation on assessment they would not give to the owner anything like the value of the house? He did not want to go into figures—it was a little too late—but he believed no expert would say that the assessment value was a true record of the annual license value of the house. It seemed monstrous that, instead of putting in their Bill, as they might have done, so many years purchase of the annual value to be ascertained in some definite way, the Government should rely upon what was nothing but a second-hand record, and should go back to the assessment. He felt very strongly that assessment ought not to be taken as the test of value. Then what was said by the other side was this: "Very well, if your taxed value is under the real value, then you are paying too little income-tax, and you ought to get your assessment put up." That was a common argument, but would hon.

Gentlemen say that this clever device for the purpose of putting assessment up would hold good? The suggestion was that, in order to justify Clause 10, there should be a general increase of assessment throughout the country in regard to public-houses. The Government had gone so far as to put in Clause 45, in which they proposed to enact that the provisions of the Valuation (Metropolis) Act, 1869, should during the time before the next valuation list after the passing of this Act was made, apply to any licensed premises in the administrative County of London as if they had been increased by the addition thereto or erection thereon of a building, and the provisions of those Acts relating to supplemental lists should during that time apply as if an alteration in the value of the premises had taken place during the preceding twelve months. In fact, there was to be a sort of hypothetical increase of value by means of a legal fiction of all houses by reason of the passing of this Bill, the object being that there might be some reason or justification for re-opening the assessments of all these licensed houses. Let the Committee look for a moment at how that would work. The result of that clause was that overseers might if they liked reopen the valuation. Most of the overseers would say that though it was true that they had a right to reopen it, they had valued the houses six months ago, and they adhered to their valuation, and the suggested right of the occupier of the premises to get the assessment reviewed was gone. But supposing that the overseers did act, and put up the assessment, what happened? In the ordinary course, notice of an increase was not given to the owner but to the occupier, that was to the actual tenant of the house. Was the occupier in this case going to submit to an increase? First of all, if the assessment were raised he would pay more rates, and secondly, his compensation for loss of business would be less because his profits would be less. He gained nothing by putting up the assessment, because his compensation depended, not on assessment, but on the profits of his business. The person who stood to gain by the heightening of the assessments was the owner and not the occupier, and what *locus standi* had the owner to ask for his assessment to be increased? The result of the Government scheme, therefore, would be that the assessment would not be put up, and the man would be compensated at a price which was too low. Therefore he did not think that the machinery of the Bill would work; but supposing that he was wrong, and that everybody who had public-houses would rush to have their assessment increased, what would be the result? The inducement to raise the assessment would not press upon all trades but upon one trade alone, and the publican alone would be assessed upon a higher basis, while all other trades would be assessed on a lower basis. Was not that grossly unfair to the publican? Again, if there was compulsion under this scheme to raise the assessment it was compulsion which worked not upon the good houses, but upon the bad, because it would only operate upon those houses where suppression was likely to occur. Therefore, while the owner of a good house whose licence was safe might go on rejoicing in a low assessment, the owner of a bad house must try to get his assessment raised. The whole of the penalty for the increase of the assessment would fall not upon the owner but upon the lessee. They had had on Friday a concession made to the actual occupying tenants, namely, that they were to receive not less than one year's compensation. That concession gave effect to an Amendment which the Opposition had had on the Paper for weeks past and brought up the compensation under this Bill to something like that of the Act of 1904. Assuming that that was a concession to the tenant, on the one hand they gave him a little more in the event of his licence being refused, but then on this other hand by raising his assessment they at once increased the burden of his rates. The hon. Gentleman was anxious to make himself out as the friend of the publican, but he thought the latter would be far from grateful for this Bill, if he found that his assessment and his rates were increased under it. He would not thank the Government very much for that. The Bill also separated the compensation of the owner from that of the tenant. He quite agreed that that was a change which it was desirable to make. He thought that the whole system under which the tenants' compensation was taken out of the owners' compensation operated possibly hardly on the tenant, certainly hardly on the owners. That change, therefore, was in the right direction. But he strongly urged the Committee not to try this experiment of making compensation depend on assessments but to keep to the simple system, which every business man understood, and which was the only way of arriving at a just compensation, of taking so many years purchase of the annual value as ascertained in the open market. As regards the ante-1869 beer-houses, the condition on which they gave up their statutory right was that they should have a statutory right to compensation. But what were the Government doing by this Bill? Having forced them to abandon their security they were taking from them the *quid pro quo*. They were doing something which no hon. Member in his private capacity would dream of doing. Supposing an hon. Member had bought goods and paid for them by cheque and then was discontented with his bargain, would he stop the cheque? Certainly not. Here the Government were asking Parliament to dishonour the cheque which the nation had given the licence-holders. He hoped that matter would be reconsidered before the Bill passed another stage.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. ASQUITH, Fifeshire, E.) said the hon. and learned Gentleman had made, as he always did, a moderate and reasonable speech full of cogent argument and entitled to the most respectful consideration. He was glad to acknowledge that the very difficult and intricate questions which arose upon this clause had been discussed with great sobriety of temperament, in a spirit of reasonableness, and, as far as the case admitted, even of impartiality. He should be content to leave the case as it was presented by the Under-Secretary for the Home Department—one of the ablest and most closely reasoned Parliamentary statements to which any of them had listened for a long time. He intervened merely for the sake of presenting once more in the simplest fashion the position of the Government in relation to the clause. Now, how were they to define the subject-matter for which compensation was to be given when, during the statutory period of reduction, a licence was suppressed on the ground of redundancy? It did not matter for this purpose what the tenure of the person whose licence was taken away might be, whether it was to be treated as a freehold, as under the Act of 1904, entitled to claim a value of twenty-five years purchase, or whether it was the inevitable consequence of the introduction of a time-limit that the time should be less. The words used in the Act of 1904, which were subject to construction and interpretation first by the Inland Revenue, and subsequently by the Kennedy judgment, were—

> "The sum to be paid in the way of compensation is to be a sum equal to the difference between the value of the licensed premises calculated as if the licence were subject to the same conditions of renewal as immediately before the passing of this Act and the value which the premises would bear if they were not licensed premises."

It was a remarkable circumstance, in view of the difference of opinion which subsequently prevailed as to the true construction of these words, that at no stage in the progress of the Bill through the House were they ever discussed either in Committee or on Report. The House was never allowed to proceed beyond the middle of the second line of the whole of that long section. This Government, which was charged with systematic curtailment of the rights of debate, had given two days to the subject. The words he had quoted were never put from the Chair; they were never the subject-matter of discussion or amendment, and that might account for the complexity of interpretation put upon them. He had always thought, and still thought, the framers of that Act never contemplated that such an interpretation would be put upon them as was put by the Kennedy judgment. He said that from the *dicta* emitted from time to time by the Ministers responsible for the conduct of the Bill, which showed plainly that in their contemplation and anticipation the kind of figures that would be paid by way of compensation would be very much nearer what the Government were now proposing and very much nearer the practice which was in fact followed in the two years immediately succeeding the passing of the Act than the standard ultimately set up by the Kennedy judgment. He could not conceive it to have been the intention of the framers of the Act of 1904 to give an alternative security—to give to the owners of tied houses suppressed a different and a larger and more generous measure of compensation than was given in the case of free houses. He had always thought, even in the days when he was a lawyer, and he thought with undiminished conviction still—that this was the practical effect of the Kennedy judgment. What were the Government doing now? It had been kindly and generously suggested by more than one speaker that they were making a change in the law, at any rate, as hitherto interpreted, because otherwise they could not make the compensation fund go round. He did not think there would be any difficulty about that. The Government had adopted—strange as it might seem—this definition, in the first place because they thought that Parliament ought itself to take the responsibility of defining a matter of this kind, and should not leave it in ambiguous language capable of different interpretations by Government departments or by Courts of law; and, in the second place, because apart from clearness and definiteness, they believed that this was a fair measure of value. What did it matter to the Government, or to the taxpayers of the country? Nothing at all. The Government had no other motive in the world for dealing with the matter, but that of trying to arrive at a fair measure of value which would remove all sense of hardship and secure to all the different interests concerned a perfect adjustment of value. If, then, that was the object, could they take the average value from Schedule A? He had heard something from the right hon. Gentleman opposite and from the hon. and learned Gentleman who had just sat down as to the difficulties and inequities of taking Schedule A as their standard. Let him try to deal with it in a little detail. First of all, he fully agreed that Schedule A, as it was, was uneven and wanting in uniformity as between different parts of the country. In a very large number of cases it was far below the real value by which the premises ought to be assessed for local or Imperial purposes. Their object, therefore, was that Schedule A should be revised in order that something in the nature of uniformity should be attained, and above all that the assessment of these houses, whether for purposes of levy paid or compensation received, should approximate to the measure of value which they took for both the local and Imperial charge. He argued the question on Schedule A as it ought to be, and he thought that some of the objections pointed out by the hon. and learned Gentleman would be found to be very considerably removed when he remembered that in London it was not a matter for overseers, but for the Surveyor of Taxes, who represented the central authority, and who had the right of intervention, which in his opinion he ought to have, not only in London but throughout the length and breadth of the country, for he could only have one motive—that of equality between the different classes. Assuming, therefore, that there was a Schedule A valuation, on the one hand, of the premises as licensed, and on the other hand, of the premises not licensed, did or did not the difference between the two form a fair measure of the subject-matter which was the basis of compensation? The answer to that question depended on this, and it was a matter which deserved very careful consideration: Were there elements which ought to be taken into account when they were arriving at the extra value which was given by the possession of the licence to the house as compared with its value which were not and ought not to be taken into account under the Schedule A valuation? Was there anything which ought fairly to be taken into account as increment of value created by the possession of a licence which did or did not fall within the Schedule A valuation? He said that there was nothing; and he wanted to know what the element was which, on the one hand, added to the value of the premises that were licensed as compared with what their value would be unlicensed, and, yet which on a proper assessment, conducted by a skilled surveyor, on a careful consideration of all the facts of the case, would not enter into the Schedule A valuation. There was no question of goodwill. Let them see what goodwill meant. They were on very technical ground here and he began to feel almost as if he were back in his old and familiar walk of life, and was not speaking to a Committee of the House of Commons. But there were technicalities which he must be pardoned for dealing with for a few moments. As his hon. friend the Under-Secretary had pointed out the other day, goodwill was of two kinds, and sometimes a mixture of both. It was local or it was personal, or both local and personal. Local goodwill was that part of the value of the business which belonged to it through having been carried on in a particular situation, and might be derived either from the special continuance of that situation for the purposes of business, or from the prestige which it had acquired from having been in the same place and resorted to by the same class of customers for years or for generations past. That element of goodwill ought to be taken into account as part of the value of the premises under Schedule A. He thought it clearly came to that, and so far he agreed that goodwill was an element in regard to which the owner of the premises was entitled, when the licence was taken away and compulsorily suppressed under this part of the Bill, to be compensated. But not so the personal goodwill. The personal goodwill in the case of a public-house was often a very large element in the value of the business carried on. The activity of the publican, his good manners, his insinuating methods, his capacity for being "hail fellow well met" with all sorts and conditions of customers and men—all these things and many others which he might enumerate, constituted an element of personal goodwill which ought never to enter into the value of the premises under Schedule A, which ought not to enter into the rent which the owner of the premises could ask for, but which ought to come into consideration when they were taking away the licence and depriving that particular publican, who had contributed so much to the value of his business, of what had hitherto been his resources. He gathered that there was general agreement to that. That element of personal goodwill was provided for, and ought to be provided for, by a sum in addition to anything granted under the Act of 1904, which only gave a lump sum to be subsequently divided up between the different competing interests. Instead of that the Bill provides for a separate additional sum which reasonably and properly was payable to the publican. He came back again to Schedule A, and to the compensation to be given to the owner for the premises. He would take the case of a free house. What in the case of a free house was the compensation which, according to Mr. Justice Kennedy, was fairly payable in respect of the extinction of the licence? Mr. Justice Kennedy said that the object of their inquiry was—

> "To find the price which the owner of freehold premises might expect to obtain *qua* premises if sold in the open market."

He did not think that it made any difference whether they adopted that test or adopted the test of Schedule A. Then Mr. Justice Kennedy added that in the case of an owner who was not a brewer they might be able—

> "To find the market value by capitalisation of the annual value based on a true rack-rent."

Was or was not that a sound principle in dealing with a free house where presumably the occupier was paying a rent which would represent its value in the market, including the element of local goodwill to a person of average capital, skill and industry carrying on this particular business in these particular premises? Take next the case of the tied house. In the case of the tied house, it was perfectly obvious here that the rent paid by the tied tenant was no real criterion whatever. It was a figure which in nine cases out of ten they altogether ignored—a fancy nominal figure. How then ought they to estimate the Schedule A value, in other words the rack-rent which the tenant would pay in the case of a tied house? By exactly the same considerations as in the case of a free house. He could not see any difference whatever. The vice of the Kennedy judgment—if he might be allowed to use such an expression without prejudice—was that when Mr. Justice Kennedy came to consider what the thing was that corresponded to the rack-rent in the case of a free house, he then took into consideration an element — namely, the wholesale trade done by the brewer, in so far as it was done in that house—as though it was one of the elements of value. That proceeded upon the obvious error that if they suppressed that house that amount of the brewer's wholesale trade was *pro tanto* diminished. It was nothing of the kind. It was very often carried on to precisely the same extent after the suppression of the house as before. But whether that was so or not it was not an element which ought to enter into the calculation of the value of the house, because it was not an element which anyone ought to take into account in considering the rent which would be paid for it. If that were the case, it was pretty clear that this judgment, which had admittedly established a different standard of compensation as between a free house and a tied house—admittedly so, because they had only to look at the figures in cases actually decided in regard to which compensation had been awarded to see that that was the practical effect—proceeded upon a principle which that House ought not to sanction and which was not just. It was on that ground that the Government had thought it right to put a definition, as to the meaning of which there could be no doubt, into the Act, of the subject-matter which had to be valued, and next, to make it clear that they were to apply to the measurement of that subject-matter one uniform standard whatever the class of house they had to deal with. He admitted the difficulty and complexity of the subject—the whole system was so artificial and overgrown with such a network of conflicting interests that it was difficult to disentangle one from the other—but if it were true that the Schedule A valuation of the premises took into account—if made upon proper principles and in accordance with the rules of the case—every element of value that entered into the calculation of the tenant when he considered what he would pay for the premises for rent, and what for any other purpose, then he submitted that in this Bill they had, for the first time, established a perfectly fair and just rule in regard to which there was no cause of complaint, either on the part of the owner, the brewer, the tenant, or anybody else in the trade, and it was on those grounds, as to which it was most important that there should be a perfectly clear understanding, that they must resist the amendment and adhere to the clause.

Mr. A. J. BALFOUR (City of London) said the right hon. Gentleman began his speech by appearing in the character of the defender of the liberties of debate in the House and contrasted the discussion permitted by the closure Resolution under which they were working with what was done in reference to the Act of 1904. He did not mean to deal with those remarks, but he would remind the House that the Bill of 1904 dealt with one single issue in ten clauses, while this one dealt with a series of most complicated measures all compressed together within the limits of one Bill consisting of forty-seven clauses; that there was no comparison in point of perplexity and difficulty between the two; and that whereas they were now allowed nineteen days to discuss the forty-seven clauses, in 1904 the House was allowed eleven days to discuss the ten clauses. A very simple arithmetical calculation would enable hon. Gentlemen opposite to compare the views of freedom entertained by the right hon. Gentleman, the hero of ten closures by compartments in the course of three years, with the relatively modest effort they made to deal with the difficulties, no doubt inherent, in their Parliamentary practice. He did not know why the right hon. Gentleman introduced that controversial topic, but as he had done so he had to reply to it. He would hasten on from the right hon. Gentleman, as the guardian of their liberties, to the right hon. Gentleman as a great legal authority dealing with the interpretation of an Act of Parliament which had passed and with the Bill now before the House. Of course he admitted that the right hon. Gentleman was, by experience and training, far better qualified than he to deal with legal technicalities. Indeed, when he came into the presence of experienced lawyers in that House he always felt his inferiority so acutely that it was only with great diffidence and reluctance that he felt himself forced into the controversial lists. But the right hon. Gentleman began with what seemed to him a fundamental error of statement. He said that the Act of 1904 laid down, or was interpreted as laying down, twenty-five years purchase of the annual value of the licence. It was true that twenty-five years purchase appeared in the memorandum of the Inland Revenue, but that was entirely upset by the Courts. It never had any countenance from any speech, so far as he knew, by his colleagues in passing the Bill, and he was sure it had none in any speech he made.

Mr. ASQUITH said he did not mean to say that, if he said it. All he meant was to contrast the number of years purchase which would naturally be given for an extinguished licence where there was no time-limit, and the more restricted number which must necessarily be given under the principle they were establishing.

Mr. A. J. BALFOUR thought the right hon. Gentleman must have expressed himself somewhat imperfectly on the first occasion, but he fully accepted his explanation, and would not pursue the topic. Then the right hon. Gentleman expressed his view that the authors of the Act of 1904 expected to see carried out the principles embodied in the Bill of 1908. That was quite inaccurate. He was not aware that it had the smallest shadow of foundation. What had been brought forward as an alleged foundation was that some of his colleagues made prophecies, not wholly inaccurate, as to the amount of compensation that would be given. Of course all prophecies of that kind were open to doubt. In the first place they dealt with the future—and every statement about the future was open to doubt—and in the second place they dealt with a question on which it was impossible to dogmatise arithmetically. They could not say positively how much compensation would be given by the tribunals for a certain type of property until they saw how the tribunals were going to act, and what he wished to insist upon was that there never was the smallest ambiguity as to the underlying principle which they thought fair in the matter of compensation—the principle that they should act in the matter of compensating owners of licences for their licences exactly as they acted in taxing the owners of licences. That was a perfectly plain and simple proposition stated over and over again in the debates of 1904, which was accepted then by his colleagues and himself, and which they endeavoured to carry out in the Bill of 1904. They could not read that Act without seeing that those principles were embodied in it. The words were—

> "Shall be determined by the Commissioners of Inland Revenue in the same manner and subject to the like appeal to the High Court as on the valuation of an estate for estate duty."

He did not believe clearer words could be put into an Act of Parliament, and he might add that the principle on which the Commissioners of Inland Revenue directed the valuation of an estate for estate duty was, by Sir William Harcourt's Act of 1894, market value. So that they laid down unmistakably two principles on the face of the Act of 1904—first, that the Inland Revenue should value a man's property for compensation exactly as for taxation, and, secondly, that the proper principle of dealing with all questions of valuation was the market value of the property they were going to take away. That was the bed-rock, as they thought it, on which they must always proceed in dealing with all kinds of property, and if any member of the Government was going to speak further, he would ask him to tell them—what the right hon. Gentleman did not tell them—whether he dissented from the equity of those two principles. Not once had any speaker faced the plain issue he now put before them. That was really their fundamental difference with the Government, though there were some subsidiary differences on which he might say a word. He quite agreed that, on the first blush, it might seem as though Mr. Justice Kennedy took into account the profits made by a brewer who owned a tied house, and that a house that was not tied was compensated under that judgment on a different principle from the house that was tied. But that really was not the case. The principle that underlay Mr. Justice Kennedy's judgment was, if he might speak as a layman, the principle which underlay the Act of 1904—the principle that market value and market value alone was to determine the compensation. They must determine market value by some interpretation of the intentions of the class who were likely to compete in the open market for the commodity which was sold in the open market.

Who were the class likely to give the highest price for a licensed house—whether that licensed house were a tied or a free house mattered not? Undoubtedly the brewers, and, therefore, said Mr. Justice Kennedy, if he really interpreted his judgment, what a brewer would give for a licensed house, irrespective of whether that house was now tied or free, was an element, and must always be an element in the market value not of a tied house more than a free house, not of a free house less than a tied house. The Prime Minister absolutely ignored this argument, and he earnestly trusted that before the debate closed the Solicitor-General would really deal with the legal aspect of the Kennedy judgment. Another point which, it seemed to him, the Prime Minister utterly failed to deal with was the question of rating. The Government insisted that a fair basis for compensation was to be found in rating under Schedule A. They had not attempted to answer the arguments that were brought against that proposal by his right hon. friend and his hon. and learned friend the Member for Kingston. One of those arguments was that, even when they had got a local authority which, to the best of its ability, carried out an equal and efficient system of rating, to attempt to value licensed premises on the basis of Schedule A led to the most grotesque conclusions. His right hon. friend pointed out that in the London County Council Return there was an account of all the licensed premises and their annual rating, which was equivalent to Schedule A, and it appeared that in some cases the value sank as low as three years purchase of the rateable value, and in some cases it rose as high as 122 years, and that it varied between those two extreme figures by almost every fraction that they could imagine. It was absurd to say that a valuation of that kind could form a proper basis of compensation when they saw produced results as grotesquely unequal as those which were shown in this Return. Up to the present moment not a single reply had been made from the Treasury bench to this point, and he made a direct and precise appeal to the Solicitor-General to look at the Return and to say, after he had examined the figures, whether he could any longer justify the equity of compensation based on rating under Schedule A. Another point connected with rating which was admirably made by his hon. and learned friend received no reply from the Prime Minister. They were going to compensate a man according to his rating. By universal admission rating was very often a very poor index of the value of a house. Therefore the owner of a house rated very low in proportion to its value would evidently receive much less compensation than the man whose house was rated at its full value. That appeared to be nothing but a source of satisfaction to hon. Gentlemen opposite, who said: "What an excellent and delightful plan of getting automatically a proper and fair system of rateable value." Let him point out, in the first place, that it was not the licence-owner who rated himself, but the public authority. In the second place, the person who had an interest in seeing that rating was high was not the person who had got a right of appeal against the rating; and in the third place it was perfectly notorious that there were many districts in which the rating was perfectly fair as between different kinds of property, because it was universally too low or universally too high. Look what they were going to do in that case. They were going to compel the owner of a licensed house either to rate himself above the general average of the community in which he lived, or submit to unfair compensation. If he rated himself above the average level, they got in that locality, not a good, but a grossly unfair and unequal system. Was that a system they wanted to adopt? Was that a step towards a fair system of rating? It was grotesque, and the Prime Minister should have dealt with it. How on earth were they going to defend a Bill which put before the owner of a house or a licensee this alternative—either you are going to be rated proportionately above your neighbour for every local purpose so long as you continue to own a licence, or else you are going to be robbed if and when the moment comes for the compensation to be fixed. That was the third definite point on which they most earnestly and respectfully asked for a reply from the Solicitor-General. These points seemed to him absolutely to kill the argument that this Bill offered a fair system, and he could not help asking himself whether the Government wished to give fair compensation. A very ominous phrase appeared in the speech of the Prime Minister when he was explaining the Bill to the House on the First Reading. He used the word "compensation," but he used it with a *caveat* because, he said, it did not exactly express his meaning. What they wanted to get at was that meaning which was not expressed by the word compensation. What was it the Government really meant to do with the owner of a licence? Had they got back to the doctrine of solatium, which was a very favourite one with the right hon. Gentleman in the debates of 1904? He was, he thought, the inventor of the phrase.

Mr. ASQUITH: No. I think it came from Birmingham.

Mr. A. J. BALFOUR said that, whoever the patent rights might lie with, there was in 1904 a fundamental difference between right hon. Gentlemen now on the Treasury Bench and those who were responsible for the Bill of 1904. The then Opposition, the present Government, said there was no right to compensation, only an equitable claim to some kind of solatium. The then Government said: "We are taking away property with a value in the open market. You must give, not a solatium, but compensation." That was the difference between them then. Was it the difference still? Was the solatium doctrine abandoned? Did the Government in this Bill mean compensation, or did they mean gratuity? So lively was his recollection of the solatium view that they held only three or four years ago that the Committee would not regard him as unduly uncharitable if he said that compensation had never been in their minds any more than it was now in their Bill. In their Bill they did not give compensation. In their policy, they never intended to give compensation. Their Bill carried out their intention, and their intention squared with the Bill. It was because they held now, as they held in 1904, that they ought to deal with this question on a fundamentally different principle, because they thought that, when they took away a man's property, the market value of that property should be given to it, that on this clause, as on the clauses that had preceded it and would follow it, and upon the Bill as a whole, they had offered, and they meant to continue to offer, the most determined opposition to the proposals of His Majesty's Government.

Lord R. CECIL (Marylebone, E.) said he was surprised that no member of the Government had even attempted to answer the very pertinent and important questions which the Leader of the Opposition had asked. On that side of the House they certainly did desire to know in what way they were to regard this clause—whether it was intended to be compensation to the owners, and to those interested in licensed house property for the money value that was to be taken from them. The Prime Minister's speech certainly did do something to help; he had, at any rate, definitely abandoned the argument put forward by the hon. Member for Chester that the real defence of the compensation proposals of the Government was that if they were to give the compensation which the licence-holders thought they were entitled to, and which hon. Members on that side thought represented their true loss, it would be impossible to carry out the principles of the Bill. But the Prime Minister had not abandoned a much more serious evil connected with re-assessment. The right hon. Gentleman admitted that if they proceeded with this clause on the present basis of assessment the result would be grossly unjust. He did not say that it would be grossly unjust, but no one who listened to him could doubt that that was what he meant. It was now admitted, even by the Government themselves, that unless they had a system of re-assessment the principle of this clause was unjustified. Therefore, it was an absolutely essential part of the Government scheme that there should be re-assessment. What the Prime Minister in effect said was: "We propose to give full compensation. That is our theory."

The right hon. Gentleman was not prepared to go to the country and say: "We do not propose to give compensation." Compensation had only one meaning, and what the Prime Minister said was—"We propose to pay to those interested in licensed property the value of that which we take from them." The Government thought they could do this by a revaluation under Schedule A. No answer had been given to the question which had been put again and again. Did the Government assert or deny, speaking generally and apart from licensed premises, that the rateable valuation which is the basis of Schedule A represented the true market value of the subject of such valuation? He did not believe that any hon. Gentleman on the other side of the House would venture to get up and give an affirmative answer. Everyone who knew anything about the matter knew that rateable value was not the true value or the market value. That was not peculiar to licensed property. He believed the hon. Member for Chester was interested in large chemical factory works in the North of England. He was quite certain that the hon. Member would find that if there was a proposal to expropriate him upon the basis of the assessed value under Schedule A he would be the loser of probably tens of thousands of pounds. That was the broad question which the Committee had to face. The Prime Minister admitted that unless there was a re-assessment there would be injustice. Was it conceivably fair to raise the assessment on one particular class of property when they kept the assessed value of other classes of property at the value at which it stood at present? How could hon. Members pretend that that was fair?

*Mr. SHERWELL (Huddersfield): I think the noble Lord forgets that there is now a statutory right of independent assessment of licensed premises, so that the distinction he deprecates already exists.

Lord R. CECIL said he did not think the hon. Member quite followed what he had stated. There was no objection to the assessment under Schedule A as merely a basis of taxation. It was perfectly obvious that it was utterly unimportant whether that was absolutely true, provided only that it was relatively true. What he meant was that so long as the rates and taxes were levied equally among the people over the property according to the relative value of the property it did not in the least matter whether that value was the true value or a conventional value. As a matter of fact, if they liked to put it so, it was a conventional value. Personally, he thought that was quite right. He would tell the Committee why. When the State took property compulsorily he thought it was of the utmost importance that the State should not pay too little for it [Laughter.] They might laugh, but it was clearly right that where there was a transaction between the State and an individual, having in view the relative forces and the relative wealth of the two parties, the individual ought not to get less than the true value. That was generally felt by every fair-minded man in the country. Parliament always provided that when property was to be taken from the individual it was to be paid for at, he would not say a grossly excessive value, but at a value which necessarily had a margin of too great rather than too little. Nobody doubted that that was a perfectly just and fair condition of affairs. Exactly the converse applied to the case where they were going to raise taxes. The same law applied. It was clearly right that the advantage should not lie with the State. It ought to lie, if at all, with the individual. Everybody who had given any study to the question knew that he was speaking the truth, and the result had been that the basis of value for the purposes of taxation had always been lower than the true market value, just as the basis of compulsory sale had always been rather higher. He did not care really for the purpose of the argument he was addressing to the Committee whether that was right or wrong. It did not matter. He had no doubt himself that it was right. But assuming that others were right and that he was wrong, and that it was a wholly erroneous system which ought to be abolished, it could not be defended if they were to abolish it for one class of property owners and to leave it for all other classes. The thing was really unarguable. The difference between taking the money from a particular class, not in a lump sum, but from year to year, was equivalent to making a member of that class lose his teeth one by one instead of having them all extracted at the same time. In regard to the vexed question of the Kennedy judgment, it was interesting to observe that the question whether trade should not be considered was not argued by the Attorney-General and the Solicitor-General of that day. The late Sir John Lawson Walton, who was then Attorney-General, said it was not unreasonable to inquire into the amount of business that was done at the inn, and the present Attorney-General agreed that the procedure, which some hon. Members attacked as possibly illegal and certainly inequitable, was not unreasonable. If the licence of premises upon which the tenant brewed the ale which he sold were taken away, would not the loss of his profits on the ale which he brewed be taken into consideration in fixing the amount of compensation ? If it were, why should not the same treatment be accorded to other brewers ?

*Mr. CHARLES ROBERTS (Lincoln) asked if the noble Lord could explain why, in the debates on the Bill of 1904, explicit assurances were given by the Home Secretary and the Solicitor-General of the day that no compensation was to be given for trade and for wholesale profits.

Lord R. CECIL said he was not a Member of the House at that time, and did not know what was said. If his right hon. friends were so unjust as to say that in estimating the market value of a public-house they were not to consider the value of the trade that might be done there by the brewer, he really could not conceive what they were thinking about when they said it.

*Mr. CHARLES ROBERTS: Why, further, did they leave out compensation to the publican for the loss of his retail profits ?

Lord R. CECIL said that the hon. Member was entirely mistaken in thinking that that was left out. It was included without a doubt, but by a provision that operated rather harshly on the owner of the premises. It was taken out of his compensation instead of being made a separate matter of valuation, as it ought undoubtedly to have been. He rather deprecated these references to what was said in 1904. In his short experience of political life it had always seemed a certain sign that the other side had very little to say if they abandoned the defence of the proposals really before the House—whether the Government proposals were fair or not—and turned back to some ingenious dove-tailing of isolated sentences from past debates in justification of their proposals. As his hon. and learned friend the Member for Kingston had said, the broad question here was, Were they going to compensate on the basis of market or assessable value ? He thought that assessable value was unsatisfactory, and he had already pointed out that the Prime Minister himself also thought so. He was driven to ask why it was that hon. Members who professed to be anxious to be fair to the trade and repudiated with the utmost warmth the accusations made against them had put in their Bill provisions which seemed to be demonstrably unjust. A phrase was used by the hon. Member for Appleby which threw a lurid light on the kind of way in which they and other "wolves" approached this question. The hon. Member said that it would be a difficult balance to strike, the balance between the financial interests of the trade and the moral interest of the nation. Well, what did that mean ? He could attach no meaning to it except that the hon. Member thought it was legitimate to cut down the compensation to be given to this particular trade if only in that way he could carry out what he regarded as the moral requirements of the nation. He apprehended that he had rightly interpreted the hon. Member's observation. He hated—he deprecated using strong language—[Cries of "Wolves"]—and he was not going to accuse hon. Gentlemen opposite of being brigands. But that was precisely the language which brigands from time immemorial had used in defence of their trade. The Committee would recollect the case of Robin Hood. The hon.

Member for Appleby no doubt would have been Robin Hood, and the hon. Member for Lincoln Little John. Robin Hood always explained that he did not rob the virtuous Saxons who happened to be his friends; his levies were made exclusively on the Norman barons and priests whom he disliked. In other words, he thought that the financial interest of the Norman barons should not be put in competition with the moral interest of suppressing priests and barons for the benefit of the Saxons. Precisely the same arguments were used to-day by semi-criminal and semi-political societies throughout the world. It was a dangerous argument, and one which might lead the Government further than they anticipated at present. At any rate, he understood the argument. It was a frankly predatory argument. What he did not understand was the case of hon. Gentlemen like the Member for Chester, who professed to desire to give full compensation to the trade, who brought a great array of figures to prove that they had examined the question and were satisfied that this clause was going to deal fairly with the trade and that they were therefore not vindictive. He could not believe that they had really given their mind to the proposal which the Government had put before them. He could not help feeling that the kind of argument which satisfied them now would never satisfy them if they were dealing with the ordinary transactions of life. He trusted the Committee would allow him to say, although he admitted that it was rather strong, that political brigandage was one thing, but political hypocrisy was another.

*MR. C. B. HARMSWORTH (Worcestershire, Droitwich) said he would not enter into the intricate details which had been touched upon that afternoon by hon. and right hon. Gentlemen who had legal qualifications to do so. He should like, however, at the outset of his remarks, to deprecate the language used by the noble Lord, and that which was almost habitually used by right hon. and hon. Gentlemen opposite when speaking of the policy of the Government in regard to this Bill. They were accustomed to a certain latitude in political language which none of them would think of applying in the private relations of life. But he really thought that right hon. and hon. Gentlemen opposite might at least give them credit for sincerity in their aims and for the same moral attributes which they claimed for themselves. As one who did not profess to be an expert in this matter, he thought that the whole point in dispute was a question of degree—viz., on what basis certain people were to be compensated for certain equities which they undoubtedly enjoyed. He could assure hon. Gentlemen opposite that the gulf between the two sides of the House was by no means a moral gulf, but merely a matter of interpretation and opinion. That was very curiously illustrated by the discussion that afternoon about the Kennedy judgment. He himself, he honestly confessed, had had very vague views in regard to the Kennedy judgment, but the whole tenor of the speeches went to prove that right hon. Gentlemen opposite, when framing their own Act, had no idea of giving compensation on the Kennedy basis. They were always accusing those on the Ministerial side of the House of robbery and confiscation, but having the views they now expressed, they ought to accuse themselves of robbery when they framed their own Act. He thought the language which was bandied about from one side to the other was quite out of place. It did not assist them in their discussions and did not tend to public business. He had always thought that the question of compensation should be decided on an actuarial basis. He and those around him were in this position, that they must absolutely depend upon the opinion of experts, like the hon. Members for Spen Valley and Lincoln, and particularly on the judgment and opinion given from the front bench. He was bound to say, although he regarded the provisions of the Bill with regard to compensation, so far as he understood them, with some misgiving at first, having been a patient auditor of the debates on both sides of the question, he thought that hon. Gentlemen opposite had lamentably failed to prove, especially after the concessions made by the Prime Minister, that the compensation would not be adequate in the greater number of cases. Speaking for himself, he would like to see this thing done not only fairly, but generously, because they must bear in mind the fact that they were not compensating these licences out of public money, although it might be regarded as contingently public money, and that it really did not matter at present how generous that compensation was, provided that it did not interfere with the operations of the Act. Obviously, if the Act was to work, compensation and the compensation levy must, to some extent, accord. They had heard a good deal about the injustice of the present proposals of the Government, but if he pursued that line of argument with regard to the proposals of the late Government when they came to deal not with the owners but with the licence-holders, there was nothing to show in their former action and in their attitude to-day, that they had any regard whatever or consideration for those people who were the only people whom the State recognised at all. He congratulated the Prime Minister on including the manager and the licence-holder in the scheme of compensation. He himself thought that an even higher rate of compensation might be accorded to the manager and the licence-holder than that proposed. He had been very much struck by a speech made the other evening by the right hon. Member for Dover, who, referring to the goodwill of a public-house, attributed by far the greater part of it to the personal goodwill of the licence-holder. If that were so, the Government would be well advised to make his condition even more definite than at the present time. He hoped they might regard one year's profits as the minimum and that the Commissioners would be given the power to grant a greater compensation if, in their discretion, they thought it was right. He would like to allude to a class of licence-holders who had been already referred to by the noble Lord. He meant that considerable class, in many parts of this country, of publicans who brewed their own ale. In these cases where a house was suppressed it was not only a licensed house that was done away with but a brewery, because the brewery had no other outlet for its wares. He thought that was a very important class of case, and he trusted that his right hon. friend the Prime Minister would give it careful consideration before this Bill passed. He could only say, in conclusion, that so far as he understood the provisions of this clause, especially with the Amendments which had been foreshadowed, they were fair to the trade as a whole, and they transcended everything that had been done by the other side in their fair and equitable treatment of licence-holder and manager and, generally, of the less influential persons who conducted the trade of public-houses.

THE SOLICITOR-GENERAL (Sir S. EVANS, Glamorganshire, Mid.) said it had not been his intention to intervene in that debate, because he said what he had to say about the Kennedy judgment on the Second Reading. He now only intervened with a short explanation, in the hope that it would curtail the debate rather than extend it. He did not think himself, with all the different opinions that prevailed in the various quarters of the House, that it was very useful to discuss in detail what was called the Kennedy judgment. One thing was perfectly certain, that whatever was the principle which Lord Justice Kennedy laid down, unquestionably when he worked out the figures he worked them out on the number of barrels and the profit per barrel which the brewer would make, and all the questions put to him showed that the difference between the two sides of the House was whether or not, in arriving at the compensation which they were to pay to those interested in the premises, of which the licence was taken away, they ought to include the brewer's profit in regard to his wholesale business.

MR. A. J. BALFOUR: That is not the question that I asked.

SIR S. EVANS: Every question which the right hon. Gentleman asked came down to that.

MR. A. J. BALFOUR: No.

SIR S. EVANS said this was not a legal question, it was a question of what was to be done, and although it was very interesting to go back to the Act of 1904 and discover what it was that was said by the right hon. Gentleman, the question was whether the compensation which they offered for these licensed premises had been put upon a fair and proper basis. The Government said it was, when they put it upon Schedule A, and he would give one or two reasons why they should not include brewers' profits. Schedule A required that the assessment of the premises should be according to the rack rent, and therefore in the case of licensed premises they showed the annual value of those premises with a licence. The other figure which they took was the annual value of the premises without a licence, and the difference between the two, they said, ought to measure, and did properly measure, the loss sustained by the taking away of the licence in respect of the premises. Now, was it right to include the brewer's profits? First of all, they were the profits made elsewhere in connection with another business. The brewer might, if he liked, rent a public-house to a free tenant. What would be the value? The character of the rack rent which that free tenant would pay. If the brewer let the house to a person who was "tied" as to the business, no doubt over and above all that the brewer made, he in connection with his own wholesale business made an additional brewer's profit. But those profits were profits made in connection with another business. Let him take the case of a house which sold a particular class of beer. In the case of a house where only Bass's or Allsopp's beer was sold, the abolition of the licence took away that particular outlet for part of the business of Bass or Allsopp; but did anybody propose that Bass or Allsopp should receive compensation? The tenant of a licensed house might by reason of a loan take his aerated waters from a particular manufacturer; had anybody ever suggested that the manufacturer of aerated waters should be compensated if the licence were abolished? Let him put another question. How were they to separate the wholesale profits of the brewers, as distinguished from those of the house itself, because they had been dealing with cases in which the brewing company had become the owners of the premises? But they could have precisely the same class of trade carried on in premises where the brewer had no interest at all. Supposing there was on the public-house a first mortgage to A.B., who was not a brewer, and there might be two or three other mortgages. Supposing, further, that the brewer lent money on the personal covenant of the person who carried on the business to take his beer and spirits; that gave him no interest in the house, but the profits that he made in that case were the same as those he made as the owner.

MR. A. J. BALFOUR: That is not the question I asked at all.

SIR S. EVANS: There is no legal question for me to deal with.

MR. A. J. BALFOUR: I did not ask a legal question.

SIR S. EVANS said he was in charge of the legal part of the Bill. The whole question raised was whether they were to include in the compensation the wholesale profit which was made by the brewer. [OPPOSITION cries of "No."] The right hon. Gentleman had directed attention to the figures given in the return of the administrative county of London as to licensed premises, and had pointed out that the amount of compensation awarded varied immensely, being in some cases three, five, or eight years, while in another case it had a maximum of a great many years purchase. That did not show that Schedule A was wrong; and if it was wrong, it ought to be amended. In arriving at the total figure which was divided in order to get the number of years purchase, the huge profits of the brewers were included. He had before him the Kennedy judgment. He would take the first few cases. The particulars were: "The British Queen"—to the tenant, £276; assessment, £75; to the brewers, £2,249. Could anybody say that was due to the inherent value of the premises? The house was a free one. Obviously these were brewer's profits reckoned on the number of barrels. The brewer's profits would depend on the quality of the liquor he supplied to the house; the worse and the cheaper the liquor, the greater his profits. The closer the tie upon the tenant and the higher the price the brewer charged the tenant, the greater also would be the brewer's profits. He came to other particulars: assessment, £50; to the tenant, £186; to the brewers, £1,929; assessment, £41; to the tenant, £100; to the brewers, £549; assessment, £100; to the tenant, £104; to the brewers, £1,356. This was the answer he made to the right hon. Gentleman. It dealt with the whole substance of the case as he put it. [AN HON. MEMBER: Assessment?] With regard to assessment, the point raised was whether it was right to take the rack rent as set out in Section 60, Schedule A, of the Act of 1842.

LORD R. CECIL said the point on which he insisted was whether the assessment in fact represented the fair value of the premises. Would the hon. and learned Gentleman on his authority tell the Committee that the assessment for rates represented the fair value of the premises?

SIR S. EVANS said that if it did not, it ought to. The law, as set forth in Section 60 of the Act of 1842, was that the assessment should show the rack rent value of the premises per annum.

LORD R. CECIL said he asked whether it did.

MR. BONAR LAW (Camberwell, Dulwich) said he only rose for a moment to say that his right hon. friend the Leader of the Opposition put some very pertinent and definite questions, but that the hon. and learned Gentleman who had just sat down had not answered them, although as he rose he understood he was going to do so. Later on, however, he said it was not necessary, for the reason that he was only party to the discussion as a lawyer, and it was not his business to deal with any but legal questions. That was what he understood him to mean.

SIR S. EVANS: What are the questions I am asked?

MR. BONAR LAW said the Leader of the Opposition appealed to the Solicitor-General because he seemed to be the member of the Government who had not spoken, and who was going to speak, and he asked him to deal with certain points which he had ignored. One question was, did the Government, or did it not, recognise that the same principle of compensation should be adopted as that had recourse to by the Inland Revenue in obtaining revenue? Another perfectly clear and relevant question had reference to this state of facts. It was within the knowledge of everyone that there were localities where the whole assessable value was below the natural rent. That was perfectly fair as between properties if treated alike, but under the Government Bill either the publican was going to receive unfair compensation or he was to be assessed at an unfair rate as compared with other properties.

SIR S. EVANS: He is assessed, and ought to be assessed, according to the rack-rental.

MR. BONAR LAW asked whether the hon. and learned Gentleman really meant that he was going to alter the whole rating system of the United Kingdom. Was he going to deal with other property in the same manner? In his opinion, the hon. and learned Gentleman was wise to stick to the legal aspect of the case. He had given an illustration of the way in which extraordinary profits could be made, which was a revelation to anybody who had been engaged in trade of any sort. The way to make big profits according to the hon. and learned Gentleman was to supply bad stuff. It was, he thought, a bad analogy, but, taking that analogy, the way to make big profits as a lawyer was to do the worst work in the worst possible way. It was as true of the profession of the hon. and learned Gentleman as of any other. Business was not profitable if carried on on those lines. He had not the time, and he had no intention of going into the legal merits of the Kennedy judgment, but when he listened to the Prime Minister, the speech of the right hon. Gentleman appeared to be special pleading to which one could not listen without admiration. The right hon. Gentleman said that to compensate on the basis of assessable value was fair. Was it fair? If it was fair in regard to the public-house it would be equally fair in regard to any other business. Supposing that there were two drapers' shops in the same street, of the same size, and of apparently the same value. Supposing that one of those businesses made a profit of £1,000 and the other made a profit of £2,000 a year. Would that difference be recognised in Schedule A as it stood? If it was not recognised in that case how was it fair to recognise it in the licensed trade? That brought them back to what was pointed out by his right hon. friend at the end of his remarks earlier in the afternoon. There was a fundamental difference here between the Government and those who sat in Opposition. The right hon. Gentleman the Prime Minister had not only quoted the words used by his right hon. friend, but had definitely said either on the First or Second Reading of this Bill that licences were not a form of property. That, obviously and clearly, meant that anything which this House chose to give to the trade was a gratuity which they had no right to have, and about which they had no right to bargain. It was for that reason that one hon. Member, who thought for the purposes of compensation they ought to take the valuation of an actuary, finished up his speech by expressing his willingness to take the opinion of the Treasury Bench. The whole principle of everybody who supported the Government was that these people were entitled to nothing, and anything they got they ought to be thankful for.

*SIR THOMAS WHITTAKER (Yorkshire, W.R., Spen Valley) said the hon. Gentleman who had just sat down had stated that compensation and taxation should be on the same basis. It was the contention of those who supported the Government that compensation should be based on taxation under Schedule A. When hon. Members opposite contended that taxation and compensation should be on the same basis they referred to the death duties only. They should refer to all kinds of taxation, and if the Government based their compensation on Schedule A. they were carrying out the principles of hon. Gentlemen opposite. The hon. Gentleman then turned to other bases, and said that lower assessments all round were just. But in particular districts they were not just. It was part of a dodge on the part of the locality to escape their fair share of the local county rate. If some localities were assessed at a low rate, if they were under-assessed, they paid a lower proportion of the county rate than they ought to pay. He agreed that it would be unjust to put up the publican alone; all assessments ought to be put up. If they were not, there was an injustice to somebody somewhere. The Act of 1904 did not include trade compensation, but the hon. Members opposite were now contending that this Bill ought to do so. He was not much troubled as to what the basis of compensation should be, so long as it was a basis on which the publican should pay and be paid. It was not just to the remaining publicans that they should be called upon to pay a compensation of too high an amount, either because the compensation value was too high or the assessment too low. He would give the Committee an illustration. There was a house in Briggate, Leeds, the value of which was assessed at £65 for the purposes of the local rates. After the licence was taken away it was assessed at £50. That was the difference that was supposed to represent the value of the licence. £15 at twenty years purchase would give £300 as the value of the licence. What did the owner of the property ask? She was a lady. Did she ask £300? No. She asked £10,200 as compensation for the loss of her licence. She got £6,300. That was said to be the difference in the value of the house with and without the licence, yet the difference in the assessment for local rating purposes was £15 a year. Either the assessment was much too low or the compensation was vastly too high. They wanted to adopt the principle of the right hon. Gentleman opposite, and have the same basis for taxation which they had for compensation. They had heard a great deal about market value. He contended that assessment should be the annual market value, and the annual market value would represent the capital value. The two things should represent one another, and if they did not injustice was being done. Another point to bear in mind in connection with this, was that the compensation would be the difference on the assessments. If both the assessments were low, the margin of difference between the two assessments would not vary so much as had been suggested from what it would do if both assessments were high. That was rather an important point. With reference to goodwill, if it attached to the premises it should be part of the assessment, and there should be compensation for it. The contention of hon. Gentlemen opposite had reference to a tied house. Both the tied house and the free house should be compensated alike, then the annual value and market value of the house should be and must be the same, and if the annual value were the market value, then it would still represent the capital value. It was really perfectly clear. There could be no difficulty, no injustice, and no inconsistency if the compensation and assessment were on the same basis. All the figures given by opponents of the Bill were based on assessments which were obviously gross under-assessments, and the only way they could get these assessments put on a right footing, was to get the compensation on a right footing. The two matters went together, and it was because this Bill would bring about that levelling-up, that abolition of gross inconsistency, that he thought it would mean a very considerable increase of assessments, which were much below the value of the premises.

Mr. F. E. SMITH (Liverpool, Walton) said the hon. Gentleman who had just sat down had supplied a very striking omission in the speech of the Solicitor-General. The omission of the hon. and learned Gentleman was made in answering a question which had been repeatedly put from that side of the House on a specific point, and the point was this: If they were going by this Bill to put up the assessments of public-houses to get their true value, how were they going to regulate and adjust assessments of other assessable property at a less amount? No other point had been raised from first to last.

Sir S. EVANS was understood to say that the assessment in the country was not to be put up, and was to be the same as under Schedule A.

Mr. F. E. SMITH said that one result of the Bill would be to compel publicans, in order to get higher compensation, to put up their assessments, and they were using this Bill to give an indirect inducement to brewers to raise their assessments, whereas they gave no such inducement to any other trade in the country. The demonstrable result was that the Bill would compel the publican by indirect means to adopt a course which would apply to no other form of assessable property.

Sir S. EVANS: The brewers do not assess themselves.

Mr. F. E. SMITH said he had repeatedly pointed out that if the hon. and learned Gentleman and his friends remembered a little more frequently that the brewers did not assess themselves they would have less vituperation of the brewers than they had heard in the course of these debates. Let there be no misconception. Unless publicans raised their assessments, it was conceded that they would receive a lower degree of compensation, and therefore, from that point of view, the object of this Bill was to give them an indirect inducement—which was offered to no other member of the community engaged in any other trade—to put up their assessments at a higher ratio. They were going by this species of blackmailing to compel publicans to raise their assessments, and pay on more than their fair share of rateable value.

An HON. MEMBER: It has nothing to do with the rates.

Mr. F. E. SMITH: Would the hon. Gentleman explain why it had nothing to do with the rates? At any rate, so far as the ostensible value was concerned it did interfere, and ought not to be done. The other point, and after all, the main point, in regard to which he had a substantial Amendment on the Paper, which was hardly likely to be reached, was as to the relative fairness of the compensation given under the Act of 1904, and that to be given under the present Bill, and he confessed that he had listened to hon. Gentlemen opposite with very great surprise indeed when they spoke of the Kennedy judgment. In the first place, he thought it a very rash proceeding indeed on the part of laymen to criticise that judgment. He had listened to one layman on the benches opposite who delivered an elaborate legal argument to demonstrate that one of the most accomplished Judges on the bench, who had been promoted to the Court of Appeal by the present Government, had been guilty of an error in law. Was that the view of the Solicitor-General?

Sir S. EVANS: I have never said so. I have never passed any opinion upon the Kennedy judgment.

Mr. F. E. SMITH: said that apparently the Prime Minister had rushed in where the hon. and learned Gentleman feared to tread, for he had said that the judgment had the fundamental vice in that it took the market value on the basis of the brewers' profits.

Sir S. EVANS said he thought so too, because the learned Judge had calculated the amount by taking barrel by barrel, and putting the profit at 14s. 6d.

Mr. F. E. SMITH said that, as far as that part of the judgment was concerned, then, the Solicitor-General thought that the learned Judge was wrong. But the question at once suggested itself why the Law Officers had not at once advised the Crown to appeal against the judgment. Every opportunity was presented. The learned Judge had asked the Law Officers point blank whether they contended that the principle was wrong, and they said they did not. His noble friend the Member for Marylebone had pointed out that they could have set the learned Judge right on this point in which he was said to be guilty of a fundamental vice. The fundmental vice stated by the Prime Minister was that the Judge had taken the market price of the premises on the basis of the brewers' profits, and the Solicitor-General, who he was sure had read a report of the case, would agree that was the principle selected by the learned Judge. Here was a case where the Judge was said to be going wrong because he was considering the brewer's profits, and what were the Law Officers of the Crown doing? One would have thought that the Attorney-General and the Solicitor-General would have deemed it their duty to their clients as well as to their superior grasp of the problem, to say to the learned Judge that the basis of the brewer's profits was entirely wrong. But now, months afterwards, in a place where the learned Judge could not reply to the argument used by the Prime Minister, they said that there was a fundamental vice in the judgment, though the Law Officers when they were before the Judge did not contend in any sense for what had been laid down by the Prime Minister to-day. The judgment was appealable, but they had not appealed. He had himself since appeared in a case which was argued before the Court of Appeal, and in which the Lord Chief Justice (Lord Alverstone) said he was utterly unable to conceive of any legal ground on which the judgment of Mr. Justice Kennedy could be appealed. Therefore, whatever might have been the intention of those who framed the Act of 1904, the effect of that Act as construed by an accomplished lawyer, and accepted generally by the legal profession, was that if they took away licensed premises the person dispossessed should receive the full market value. That was the effect of the Act of 1904, and there had been no doubt thrown upon that doctrine in any case which had come before the Court. How was that met? They were told that expressions had fallen from different members of the Government who passed that Act which showed clearly that it did not carry out the intention of those who were responsible for its introduction. He was not familiar with those passages; he had not had an opportunity of looking them up. But the Solicitor-General if he were present would tell the hon. Gentleman who sat behind him that it was a principle of English law that they were not to found in any Court of Law any opinion on isolated expressions of Ministers responsible for introducing a Bill, but that they must determine the legal effect of the measure from what it said on the face of it.

*Mr. HERBERT SAMUEL: This is not a Court of law.

Mr. F. E. SMITH pointed out to the Under-Secretary that this rule was adopted not for the purpose of legal construction, but as a necessary and convenient rule; to take fifteen or twenty quotations from speakers on opposite sides of the House was neither a convenient nor a reasonable way of determining the meaning of an Act of Parliament. If he was right in that assumption, they started with this, that the Act of 1904 laid down a certain basis on which licensed properties were to be compensated. That was the law of the land as confirmed in the Courts, and until this Bill was introduced no attempt whatever had been made to question the legality of the Kennedy judgment. Such being the circumstances, what were the proposals contained in this Bill. They were told that the Government were introducing Commissioners who were to overrule Mr. Justice Kennedy's judgment. Of course, the variation in the number of years purchase which was taken caused the greatest possible discrepancy even between the untenable and illegal basis adopted by the Commissioners and the arrangement proposed by the Government to-day. The Commissioners took twenty-five years purchase as the multiplier, but the Government had taken out an average figure during the fourteen years, and adopted five years purchase, a fifth of that allowed by the Commissioners, and which Mr. Justice Kennedy declared to be grossly inadequate. The obscurity of this part of the Bill had been so intensified that he ventured to say that the electors had not the faintest possible conception of what the Government proposed to do. Let him put an illustration of the way in which this question was likely to present itself to the people. Suppose that the London County Council to-morrow for public purposes took away a licence. The Committee would notice that the public purpose here was not a national public purpose but a municipal public purpose, but he did not suppose that it would be suggested that it made any difference whether the London County Council took away a public-house for a municipal purpose or whether the House of Commons took away a public-house for a national purpose; the principle in law was the same, and the compensation ought to be identical. If anyone could show that that principle was not founded on justice, he would be glad to hear it explained. What did the law provide should be done if the London County Council took away a licensed house? Why the owner of the licensed premises was compensated for them at the market value; he was compensated on what Mr. Justice Kennedy had declared in his decision, which had been so much criticised in the course of the debate, to be the true principle. Let him point out how these criticisms were founded. When the judgment was criticised from the point of view of the compensation to be paid in the case of a tied house they were told that a different amount was to be awarded from that which would be awarded in the case of a free house. But he would point out that the compensation would be and ought to be totally different if the tied house was more valuable. What was the position of the tied house, and how far was the tie a circumstance capable of being valued, and one which ought to be valued as part of the market value if, for a public purpose, they were going to take away the licence? The possession of a tie was an asset which could be realised, and for which a valuer would give a man money if that man went to him and said that he was the owner. A man might be the owner of licensed premises whether he had a tie on the house or not. If he had tied it he recovered compensation at the higher rate. But before he tied the house he possessed a potential asset of value in the power to tie the house if he could find a brewer who would give it to him. Therefore, a valuer skilled in compensation cases, asked at once if there was any brewer in the neighbourhood who, if the house was tied, would give a higher price for it, and if there was it followed that there was a further asset, which must be taken into account if the State was going to take the property. He would be glad if the First Lord of the Admiralty or the Secretary for Ireland would inform him whether they dissented from the proposition. It was incontestable and nobody familiar with arbitration cases would deny it. If it was right to pay market value when licensed premises were taken for municipal purposes, why should it not be the same when they were taken under the Bill? They were told by the right hon. Gentleman the Member for Spen Valley, who, however, was not mindful of it in his editorial days, that the reason they did not compensate them on the full market value when Parliament took away a licence was because it was only an annual licence. Was the tenure ot licences that had been taken away by the London County Council longer than an annual one? Why had not the Government introduced a Bill providing that when compensation was given under these circumstances, the owners should only receive the compensation which was provided when they took away property for a national purpose? Because they knew well enough that what was compensated where a licence was taken away by a municipality was the fair market value. The case was stronger in the case of licensed victuallers to-day when it was a Parliamentary attack upon the licences, because in 1904, in the reasonable hope of obtaining a settlement, the licensed victuallers consented to do what Mr. Gladstone never anticipated they would do when he spoke of compensation in the hope of obtaining a permanent Parliamentary settlement. They agreed that they themselves should find the money out of which the compensation would be paid. Hon. Gentlemen opposite were never tired of treating the 1904 Act, and the debates which preceded it, as if they were a monstrous outrage on everybody who did not own a public-house. It had repeatedly been said, and without reference to the question of a fund being provided by licence-holders themselves, that if they interfered with the expectations of a reasonable trade, compensation ought to be paid. When Mr. Gladstone and others spoke of compensation in that context there was no qualification of any kind to suggest that it was to be paid by the trade themselves. He would address a word of caution to those who said they did not recognise the settlement of 1904 because that Parliament had no right to pass the Act. He was not familiar with any principle of representative Government which would enable hon. Gentlemen opposite to say that which would not enable a future House of Commons to refuse to accept their decision in 1908. The contest resolved itself into this. He took the municipal case in which the compensation was not paid by a fund provided by the licence-holders themselves. In the other case he was taking, it was provided by a fund coming out of their pockets, and yet they refused them in these circumstances the same amount for the purposes of market value which was given in the other case. This proposition might be capable of defence, but it had not received a defence up to now. He would now deal with another part of the case, that of the ante-1869 beerhouses. The only argument which had been used to show that the whole of the other licences were not entitled to market value had been the precariousness of their tenure. But the moment they came to deal with the ante-1869 beerhouses they were face to face with a class of licence which had the fullest statutory security in respect of their tenure. Over and over again, the question of dealing with those licences had been discussed, but they still stood in a privileged position when the solution of the problem was adopted in 1904.

MR. LEIF JONES: The hon. Gentleman forgets that in 1882 the beer off-licences were in exactly the same position, and were dealt with by Parliament.

MR. F. E. SMITH said he forgot nothing of the kind.

MR. LEIF JONES: I am sorry I reminded the hon. Member of what he knew, but he did not mention it.

MR. F. E. SMITH said he did not mention it for the simple reason that it was an utterly irrelevant circumstance. It would not surprise him to find there were 100 cases of persons who had enjoyed, in respect of licensed premises, privileged positions and had those privileged positions interfered with by Act of Parliament. No one had disputed that the House of Commons had the fullest possible right, as far as the law was concerned, of dealing with the owner of any licensed property under any circumstances.

MR. LEIF JONES: I understood the hon. Member to say that Parliament had never interfered with ante-1869 beer-houses until 1904. I pointed out one class of ante-1869 public-houses, namely, the off-licences, which were interfered with in 1882.

MR. F. E. SMITH said he had dealt, first of all, with the speech of the Under-Secretary, in which he sketched certain attempts which had been made to interfere with 1869 beer-houses.

*MR. HERBERT SAMUEL: Not attempts. Actual steps.

MR. F. E. SMITH said he would remind the Committee what they were. The hon. Gentleman dealt, in the first place, with the attempt made by Mr. Ritchie, which was never carried into law. In the second place, he had dealt with a proposal which was made by a Committee of the House of Lords.

*MR. HERBERT SAMUEL: I dealt with three distinct interferences by Parliament with these licences. First, in 1869 because the licences were held under the Act of 1830. In 1869 Parliament deprived these beer-houses of most of their privileges. Secondly, in 1882 when Parlaiment swept in the whole of the off-beer-houses on precisely the same footing as other public-houses. Thirdly, in 1904 when Parliament required all these beer-houses to pay a compensation levy to insure themselves against a risk which, previous to that year, they had never run.

MR. F. E. SMITH said that, taking the speches of the hon. Gentleman and the Under-Secretary together, he did not think they in any way affected the argument which he was laying before the Committee. He had stated that at the time the 1904 Act was introduced these ante-1869 houses still maintained all their privileges, though there might have been qualifications. They enjoyed a statutory freehold, and it was no use for the Under-Secretary to tell them that a House of Lords Committee made certain proposals with regard to ante-1869 beer-houses, because the only point, in judging of the reasonableness of the proposals of the Government, was what was the position of these ante-1869 beer-houses at the time of the settlement of 1904. At that time those licences could not be dealt with by the Government or taken away by licensing justices, and the owners of these licensed premises were induced to abstain from opposing the Bill of 1904 by a Parliamentary settlement which gave them, instead of almost complete immunity, except on grounds of bad character, the right to obtain the full compensation which Mr. Justice Kennedy had decided was provided by the Act of 1904. Parliament now came forward and said: "We, having made this arrangement with you in 1904, will now take away your licence and give you the miserable pittance of compensation provided in our Bill." Strong language had been used of this attempt, but it would be impossible to use language too strong to describe the political immorality of a step of that kind. A more halting defence than that put forward by the Under-Secretary, and surprising indeed as coming from a Minister, he had never heard, because it only resolved itself into this, that, because Parliament had previously considered ante-1869 beer-houses, they were entitled, having made this arrangement in 1904, by which their privileges were surrendered, to take away the licences and substitute the compensation given in this Bill. There were many provisions in this Bill which, he trusted, if it met with the reception which he anticipated and hoped for it elsewhere, he would have an opportunity of discussing both in the House and in the country with representatives of the Government, but there was no clause in the whole Bill which he should more rejoice to have the opportunity of discussing than the dishonest clauses which dealt with the amount of compensation to be paid. If there was a defence which would show why the market value was not to be paid for these licences, let it be put forward. That contention had not been put forward and therefore he should give his vote against this Bill. He had every confidence in his ability to justify before the electors his opposition to the measure before the House.

*MR. E. A. STRAUSS (Berkshire, Abingdon) said that the question the

Committee had to consider was whether they were really in favour of giving fair compensation to those interested in licensed property. He could not understand how, once the principle of compensation to those interested in the licensed trade was accepted, it could be seriously argued that that compensation should be awarded on any other basis or scale than that of market value. He could appreciate the attitude of those hon. Members who, from motives of principle, did not believe in compensation for suppressed licences, but once they accepted the principle of compensation they could only adopt one form, and that must be based on market value. The hon. Member for the Appleby Division had referred to the moral side. He would remind the hon. Member that in the year 1875 or 1876, when it was suggested that the vexed question of compensation should be dealt with, a settlement was prevented by the attitude taken up by the temperance party of that day, led by the late Sir Wilfrid Lawson, who would not listen to compensation, because it was contrary to their principles. In that way the attitude of the temperance party had prevented good, practical, and useful legislation from finding its way on to the Statute-book, and had hindered a great social problem being dealt with. Such principles would be as fatal to-day as they were thirty or forty years ago to the progress of the cause of temperance. Let them face the logic of the situation. What was really separating the opponents from the supporters of this Bill? They were all agreed as to the underlying principle of the Bill; they all desired to grapple with the great evil of intemperance, and what separated them was nothing more nor less than the financial clauses, of which Clause 10 was one of the most important and the most contentious. He spoke with a little experience and knowledge on this subject, because he had received during the last two or three months many communications from members of the temperance party. He had come into contact recently with many earnest and zealous workers in the cause of temperance, and he could assure the Government that the feeling of the rank and file of those workers upon this vexed question of compensation was very different from what it was twenty, thirty, or forty years ago. Many of them had assured him that they would go even further than the late Conservative Government did in dealing with this question, and would even submit to personal sacrifice and taxation rather than any injustice should be done to those who had invested their money in licensed property. The difficulty was that politicians looked at everything through political spectacles, and they gave political colour to almost anything. He could not see why the great cause of temperance or the great curse of intemperance should for ever be made pawns in the political game. The temperance workers with whom he had been in communication were most anxious that this Bill should become law, but they did not wish it to become law if it was going to inflict injury and injustice upon those who were directly or indirectly connected with licences. The Under-Secretary very rightly warned the Committee last Friday not to attach too much importance to the figures submitted to the Committee from time to time in order to contrast the compensation that owners of suppressed licences would receive under this Bill with the market value. As far as he was personally concerned he had tried to study the arithmetic of this question of compensation, and he could not help feeling that if this Bill found its way on to the Statute-book in anything like its present form it would reduce the value of licensed property to about one-quarter or one-third of its present value. He would like to remind the Government that they pursued a very different course when they levied their toll for death duties. Then they took a sensible and reasonable course, and did not bother about any schedule, for they levied their toll on the market value of the licence. The Member for Spen Valley in the very able and eloquent speech which he made on the Second Reading of the Bill assured the House that fourteen years run was equivalent to about ten and a half years purchase, which he considered was in accordance with the judgment of Lord Justice

Kennedy. He urged the Government to consult with the right hon. Gentleman, and see if he would lend his support to a proposal to give the owners and those interested in licensed property ten and a half years purchase or a fourteen years run. He knew which they would be likely to accept. In estimating the value of a licence they must not consider merely the monopoly value. It must be remembered that a licence had to be backed up by capital and business knowledge in order to carry out the conditions imposed by the magistrate when a licence was granted or renewed. In that way the goodwill of licensed property was created, and it was created under the protection of the law, and built up by means of the energy and capital of those interested in licensed property. Surely in estimating compensation they could not for one moment ignore goodwill. A licence was nothing more than articles for sale and exchange. Licences were bought and sold in the open market, and their price was regulated by the law of supply and demand. Where did the whole of this compensation come from? Why, out of the pockets of the trade and not out of the pockets of the taxpayer. The hon. Member for Westmoreland had brought forward the usual argument against this proposition, and he asserted that if the Act of 1904 had not created this compensation levy the State could have exacted higher taxation out of the trade. That might be a very good argument as far as lawyers were concerned, but he could assure the hon. Member that it did not appeal to the average elector. It was difficult to lay down a hard and fast line in assessing compensation. In his opinion each case must be investigated and settled on its own merits. They had heard various arguments with regard to assessment, and he would like to put one case to the Under-Secretary. Let them assume that there were two public-houses in the same street, similar in structure and paying the same amount of rent, and one of them doing double the trade of the other. It was quite contrary to any principle of assessment or equity to screw up and raise the assessment on the house doing the larger trade. It was contrary to all principles of equity to penalise a man's enterprise because he had created a better trade than his neighbour probably because he had been selling a better article. He appealed to the Government not to haggle about the terms of compensation. The great and underlying principle of the Bill was the promotion of temperance, and the promotion of temperance was not a matter of pounds, shillings, and pence. If the Government were to give compensation based on market value they would remove one of the great and genuine causes of complaint against the Bill.

Mr. CLEMENT EDWARDS (Denbigh District) said the noble Lord the Member for Marylebone had spoken that evening of political brigandage and political hypocrisy. He understood from the speeches which he had heard that day and on Friday that the representatives of the brewing interest and the leaders of the Conservative Party claimed that the right basis for compensation should include the element of goodwill. He wondered whether it would surprise some of those Gentlemen to know that there were not ten brewery companies in this country that did not prohibit, by express terms in their agreements, their tied tenants from taking goodwill. On the morrow that this Bill became law all these agreements would be voided, because they contained a clause prohibiting the taking of goodwill. He wished to refer to the recent case of the "Horse and Groom," at Cheshunt. An old man named Nicol, seventy years of age, was persuaded to take that house and to pay £95 for goodwill and £25 for the inventory, and a further £20 on deposit on the representation, or rather the misrepresentation — he spoke advisedly—of the broker employed by the brewery company, Messrs. Prior Reid, Ltd., St. Albans, a company owning something like 200 tied houses. The old man took the house on the misrepresentation that it was doing a certain trade.

Mr. BARNARD (Kidderminster): Might I ask the hon. Member what was the verdict?

MR. CLEMENT EDWARDS said it was usual to state the facts before asking for a verdict. He would come to the verdict after he had referred to some of the remarks of the Judge. He wished to speak first of all as to the facts. This poor man was persuaded to go into the house on the representation that it was doing a certain barrelage trade. That was in February. But he had not been there many days when he found that the trade done was only one-ninth of what it was represented. He appealed to the brewers, and they declined to do anything and held him to his agreement, and only three weeks after he left the premises and brought an action in the County Court to recover the money which had been obtained from him by fraudulent misrepresentation, but the Judge held that the brewer had been no party to the misrepresentations on the part of the broker and the previous tenant. Would the House believe it, that this poor old man, who was required to pay the goodwill going in, was debarred from taking that goodwill on going out?

Clause 7 of the agreement provided—

> "At the end of the tenancy hereby created the tenant shall not claim or receive from the landlord or any other person or persons any compensation or payment whatsoever in respect of goodwill."

He contended, however, that if it was good enough for the brewers and representatives of brewery companies and the Conservative Party, to claim compensation for disturbance or goodwill, it was more important that the claims of the tenant in these matters should be recognised. If the claim for compensation for goodwill was made by the brewers for themselves, still more ought it to be put forth in the case of the tenant, but not a single word had the Committee heard from the Unionist benches in the whole discussion on behalf of the one person who above all others was entitled to compensation for goodwill, namely, the tenant. But on the Ministerial side of the House they could understand that. As a matter of fact, under these tied agreements they knew perfectly well that every tenant was gradually squeezed, skinned, and sweated in the form of increased rental or the increased prices charged for beer. He wondered whether the respectable leaders of the Conservative Party were aware of the methods resorted to by the underlings of the brewery companies to get the uttermost farthing from the tied tenant. A great deal of denunciation was heard from hon. Gentleman opposite regarding the methods of moneylenders when the Moneylenders Act was passed a few years ago. He said without hesitation that the methods described at that time as those followed by a person named Isaac Gordon, a moneylender, were perfectly common methods adopted by many of the brewery companies and their underlings in this country in the case of tied tenants. He had made a calculation, and he estimated that the brewers had taken by way of illicit profits out of tied tenants in fourteen years no less a sum than £160,000,000. It seemed an extraordinary and amazing figure, but he challenged any brewer's representative to say that the difference between the price commonly obtained from tied tenants and that got from free tenants was less than 10s. per barrel. Let them take the statement of the Licensing Commission that three-fourths of the barrelage was under tied tenants, and they would see that £160,000,000 was within the mark. The free tenant had from 5 to 20 per cent. discount, and he had also an allowance for bad beer and wastage. He had tested 150 brewery companies in this country, and he found that the difference in the prices got from tied and free tenants was 10s. a barrel. That was one way in which the brewery companies skinned the tied tenants.

MR. GRETTON (Rutland): Will the hon. Member name some of the brewery companies to which his statement refers?

MR. CLEMENT EDWARDS: I shall be very pleased to give the names of the brewery companies privately. [Cries of "Give them now."] In view of the tyranny exercised by brewery companies over their tenants I am not going to place any of those tenants in the position of being sent to Coventry for any information that I am giving.

MR. GRETTON: I do not think the hon. Member need make that reservation, because nobody could ascertain how he got the information or from whom.

Mr. CLEMENT EDWARDS: Do I understand that the hon. Member denies the statement?

Mr. GRETTON: Certainly I deny the statement; it is quite contrary to my own experience.

Mr. CLEMENT EDWARDS: Then I will give the hon. Member the names of some of the firms. The firm of Allsopp's makes that difference. It is rather larger in their case. Barclay, Perkins and Co., and Watney, Combe, and Co., make the difference. I say that 10s. is the very least, and there are cases where the difference is shown to be as much as 13s. or 14s.

Mr. REMNANT (Finsbury, Holborn): It is absolutely untrue.

Mr. CLEMENT EDWARDS said he supposed the hon. Member for Holborn was an expert in brewery finance, but for all that, he adhered to the statement he had made. Now they were told by the representatives of the brewery companies and by the Leaders of the Opposition that the compensation to the owners ought not to be upon a basis which excluded the goodwill. Either the goodwill belonged to the owner or to the trader, but he understood the suggestion was that where the goodwill belonged to the tenant it did not matter. The Opposition did not trouble about him. There was no suggestion that he ought to benefit under Mr. Justice Kennedy's judgment; he was still tied down to the limit under the Act of 1904. There was no suggestion that the tenant's scale of compensation should have been expanded in proportion to the compensation expanded in the case of the owner or brewer under the Kennedy judgment. It was said that the owner ought to have compensation included on the basis of goodwill in relation to the wholesale trade. If it was good enough for a wholesale brewer who happened to have a tie upon a house to receive compensation on the expectation of his wholesale profit, it was equally good for the baker who supplied the public-house to receive compensation on the basis of his expectation of profit destroyed by the suppression of the house. It was equally good that the whiskey distiller in Scotland who sent whiskey down under tie to a house in Plymouth should have compensation for the trade that he had lost; and that the timber merchant in Hull who sent sawdust should also be compensated for his expectation of profit destroyed by the suppression of the house. As a matter of fact the whole thing was absurd. There was not a parallel or analogy to be found for this perfectly amazing proposition. The brewing trade was not the only trade in which ties were known to exist. They were known in the drapery trade. Was it suggested that when a shop tied to J. P. Coates and Company to buy their cotton thread was taken down for a public improvement, the compensation paid should include compensation to Coates and Company for the loss of their trade. No such suggestion had ever been put forth except in connection with the discussion on this Bill. If it was so equitable, so right and proper, then why did the Leaders of the Opposition when they were in office in 1904 and had the responsibilities of government upon them, not make the suggestion and simply tie down compensation to the men having relations not to the business of the house, but to the property? That was brought about by the perfectly ingenious judgment of Mr. Justice Kennedy, for whom they had the highest respect and regard as a lawyer. It was not until that judgment was given that any attempt was made to suggest that the basis of compensation should include the wholesale profits of the business. There was no such suggestion in the speeches during the discussions on the Act of 1904. One was surprised that the suggestion should be put forward by the representatives of the brewery companies and the Leaders of the Conservative Party, and one was equally surprised, if not pained, to find that they were perfectly silent in regard to asking that the particular persons who had a right to be compensated on the basis of the business done should not be compensated on that business, viz., the licence-holder. In conclusion, he would like to offer to the Government both his cordial thanks and hearty congratulations upon their acceptance and promise to include in this clause Amendments making it perfectly clear, first, that licensee managers of tied houses should rank for compensation for the loss of their employment, and, secondly, that no licensee tenant should be turned out of his house under the operation of the Bill without receiving as a minimum of compensation at least one year of the total value of the business, leaving it to the Commissioners of the Inland Revenue to fix in their discretion any sum by way of compensation over and above that guaranteed minimum. He had worked it out in the case of a number of houses in his own constituency, and in other parts of the country, and he found that the difference it would make in the case of one licensee tenant as compared with what he had obtained under the Act of 1904 would be that whereas he obtained £25 under the Act by way of compensation, his compensation under the new scheme would be £220 or £230. In another case where the compensation to the tied tenant was only £65 under the Act, he found on the figures as to the value of the business that if this manager had been allowed compensation under the new scheme he would have received a sum of £610. The tenants throughout the country would profoundly thank the Government for their proposal. The effect would be that instead of being compensated on his rental, which was frequently nominal in order to keep down the assessment, he would be compensated on an equivalent for the total loss he had sustained by the suppression of his house. He would only make one other point and that was that while the brewers were demanding in such a scandalous way goodwill compensation for themselves, they had not put forth that claim on behalf of the tenant. That they did so he had shown in the typical agreement which he had read prohibiting the tenant from receiving goodwill when he went out of the house. He would read an extract from the report of a case which had been tried at Chester Assizes—

"Mr. Justice Cave made some strong observations about brewers' arrangements with their tenants. A dispute arose between the incoming and out-going tenant of the 'Wynnstay Arms Inn,' Rhyl, which was now the subject of an action. One of the items in dispute was £100 for goodwill.

"Mr. Hartley, North Wales agent for the brewers, called for the defendant, said their firm did not recognise tenants' goodwill.

"Mr. Justice Cave: When a tenant gets up the value of a house, do you confiscate the goodwill?

"Mr. Hartley: Certainly.

"Mr. Justice Cave: Well, it is about the coolest thing I ever heard of in my life.

"Asked if he was sure as to this, the witness replied in the affirmative, upon which the Judge said it was a most disgraceful thing.

"In summing up, his Lordship said this custom of appropriating the tenant's goodwill was all the more outrageous and monstrous in the face of the fact that brewers were going up and down the country complaining that their own property was being confiscated.

"The jury returned a verdict for the plaintiff."

He regarded this Clause 10 as a perfectly just one. It was more than generous to the great brewing interest, and now that it was being made perfectly clear by the acceptance on the part of the Government of certain Amendments, that the licence-holder, who, after all, was the real person with whom the State had to deal, was to have his interest fully protected in this matter of compensation, he hoped they would hear less from the other side that the tenants were being badly treated, and that hon. Gentlemen opposite would show their real regard for the licensee and for the tenant by seeing to it that these particular Amendments were embodied in the Bill.

*SIR GEORGE WHITE (Norfolk, N. W.) said he would not have risen had it not been for a remark made by one hon. Member who appealed, he said, to the Government on behalf of the temperance workers to be more liberal in connection with their compensation clauses. He thought he might claim to have some knowledge of the opinion of the various bodies of temperance workers throughout the Kingdom, and he ventured to say that while they had responded to the appeal which was made to them not to protest against compensation in any form and had yielded to the exigencies of the case and consented to a certain form of compensation—they were not against the Bill because they felt that the time had come when, in the interests of temperance, a settlement ought to be made—but he had yet to find any body of temperance workers who were opposed to the Bill because it was not liberal enough in its principles of compensation, and he could not imagine who they were who had made these representations to the hon. Member in favour of dealing with this question more liberally. He need scarcely say that many active temperance workers were still of the opinion which was held by the late Sir Wilfred Lawson, that there could be no claim for compensation successfully established in the case of licence-holders who held the position for one year. But that was not the position they were taking now. They had conceded the principle of compensation, and the discussion which had occupied the attention of the House for many days was really as to the basis upon which that principle should be fixed. An hon. Gentleman said that it was very difficult for them to reach a just conclusion, because they could not consider the matter from the temperance point of view without looking through political spectacles. Might he assure the hon. Gentleman that it was just as easy to get a just appreciation of the case by looking through political spectacles as it was by looking through financial spectacles. The cause of the great difference between Members on one side of the House and on the other was that they had debated this question far too largely on financial considerations. The question of compensation must largely affect the question of reduction, which was one of the most important questions at stake in this Bill. He was a member of a licensing committee and a compensating authority, where they had in one place to deal with the largest number of houses in proportion to the population in the Kingdom, and at the same time they had the anomaly that they had the smallest sum to deal with in connection with their compensation authority, with the result that, partly in consequence of the Kennedy judgment, they had for eighteen months stopped any idea of reduction at all. They had in the three years since the passing of the last Act reduced the number of licences by twenty-four, which was far less a number than that by which they would have been reduced if that Act had not been passed at all; and if they were to go on the basis of the Kennedy compensation he could only say that it would be a century before they reached the statutory number in proportion to the population under this Bill. How their business was going to be managed to reach the statutory number was a question which he had not been able to solve. The real question which had been, he thought, debated during the last two days was whether the compensation was to be on the basis of the Kennedy judgment, or whether it should be on the basis which the authors of the 1904 Act believed they were presenting to the House and the country. He followed that discussion very closely, and he came away from it, as he believed every hon. Member who took part in it did, with the conviction that the compensation to be paid was the difference between the public-house with a licence and the same house without a licence. Many quotations had been given from speeches of Members of the Government on that occasion which amply justified that conclusion, and he could not but feel that there had been some lack of sincerity on behalf of the authors of that Bill in not frankly admitting that that was their conviction at the time, whatever had been read into the Act since and whatever had been the result of the Kennedy decision. This compensation was of much greater importance to some brewers than was admitted in the House. The compensation authority to which he belonged had closed some twenty-four or twenty-five houses, and he was perfectly certain from the evidence before them that the majority of those houses were a loss to the owner every year. They closed the houses and gave compensation from £100 to £400 upon incomes derived from half a barrel or a barrel a week, which was the utmost that was consumed, and in regard to houses in which caretakers were put in at 10s. a week and free lodgings. Yet they had to pay compensation for relieving the brewer of an establishment in which from week to week he was losing money. He made bold to say that there were hundreds of houses closed in this country under these conditions, and therefore, when they heard of the injustice of this measure let them remember that there was another side to it, even as far as the brewers themselves were concerned. But he would rather have heard much more about the general public in this discussion. They had heard too little about their interests. Analogies had been attempted to be drawn from other businesses, altogether oblivious of the fact that if they attempted to argue on this drink business on the same line as any other business in the country, they would start on a false basis, and one which the law had never recognised, and starting on such a false basis they were bound to come to unjust conclusions. Then he thought the fact had been overlooked that Acts of Parliament were constantly injurious to traders and vested interests. He had in his mind cases which would illustrate the point he was endeavouring to put before the House. In one of these he knew a business which was very much dependent upon a good supply of water, which came from a stream connected with the premises. These premises had been leased by two generations and three years ago a third generation came into the lease and carried on the business. They ventured to make a purchase of the premises, but within two years of that they were told by the local authorities that they could no longer use this water, which was practically an essential to the conduct of the business, as they were polluting a public stream and thereby endangering the comfort and health of the inhabitants. Therefore it was said they must make other provisions. The making of this other provision was a question of nearly £2,000 to those who occupied these premises, and yet when they purchased them they had a just expectation of being able to carry on that business, which had gone on for seventy or eighty years in the family. They paid the price of the business upon that expectation, and yet if they had attempted to get any compensation, because the public improvement and the health of the people required that the steps in question should be taken, they would have been scouted. That was a sample of hundreds of cases that arose in consequence of legislation passed by Parliament, and, therefore, he said, without going into detail, that the Government had not only been just in their compensation but extremely generous, considering that this Bill was before the House and the country in the interests of the public and for the public good, and that the trade required that this legislation should be applied to it. Therefore he hoped the Government would remain firm against any further concessions, even a financial concession. He would make only one other observation, and that was to the appeal made by his hon. friend the Member for Chester in the closing remarks of an admirable speech. The hon. Member only used one sentence with which he disagreed in that speech, and that was when he appealed to the Government that they would not only make the concession in regard to the seven years monopoly value but make the Bill one for twenty-one years in the whole of its application. He wanted to press the Government that they should not on any account yield to any suggestion of that kind. Those who felt very strongly upon the temperance character of the Bill had not done more than protest against the concession which had been made. It was practically a financial concession, and if such a small concession would accelerate the progress of the Bill, much as he thought it unnecessary, still he felt sure, as long as it was a financial matter only, that the great bulk of the friends of temperance would be willing to accede to it; but it would be a very different matter if the whole provisions of the Bill were to be extended to twenty-one years, and a temperance reform which should come into operation at the end of fourteen years postponed for another seven years. He asked in the interests of the generation which would come in those six or seven years that the Government should no longer withhold from the nation its right to deal with these questions of local option and the discretion of the magistrates which the Bill embodied, and feeling that they had done everything with justice and generosity they should not yield another seven years monopoly. He hoped they would pass this Bill, which he believed had the great mass of the public opinion of the country behind it, as he thought the

Government would find out when they appealed to the nation about it.

MR. CROOKS (Woolwich) said he felt more than an ordinary amount of interest in this question of compensation of licence-holders, as he did not believe that the Government would have taken up this Bill at all if it had been a question of their claims. They would not have got the support of the brewers if they had, because they were not "out" for compensation for the licence-holders, but for themselves. He wanted to know how this compensation would work out. He must be very careful in his language or he should call things which had taken place in the past a swindle. Some arrangements had been made between the tenants and the brewers, and things had not "panned out" as expected. There had been a good deal of the confidence trick played by the owner upon the tenant, and under the last Licensing Bill the money went all one way. Look at it how they liked, they perpetrated what certainly was a very grave injustice in the system of letting houses. This was shown by the varying statements made when the assessment was fixed, when the house was said to be worthless, and those made when the process had been gone through, when the house became a wonderful one. What happened? The brewers were looking out for a respectable tenant. Perhaps this man was a teetotaller, and being a careful man had saved money and thought he would like to invest it in a public-house. He was just the sort of man to commend himself to the brewers. He would go and see them, and the usual conversation would take place. He would be asked how much he was prepared to put down, and he would say £500, the whole of his savings. He would then be told the thing was ridiculous, that the house was worth £5,000, but he was just the sort of man they were looking for, and he had better see the agent with whom, perhaps, some arrangement could be made. Eventually he deposited his £500, and signed a document for an imaginary loan of £4,500. He then entered into possession of the "Dog and Lion," and it was not very long before he discovered that he was not in the paradise he expected to be, but in the other shop. He then came to the assessment committee and said that the assessment of this house was too high, and must be reduced, but the assessment committee told him that inasmuch as he had a loan on this house of £1,500, on which he was paying 3 per cent., he should go to the brewers and get that reduced and not come to the ratepayers to reduce the assessment. He went to the brewers. They could not see their way to reduce the loan, but would reduce the interest to 1½ per cent. That was a consideration, but the tenant asked then whether they could not see their way to reduce the loan, and still allow him to pay 3 per cent. on the reduced loan. He was told that such a request showed his absolute lack of business capacity; that some time or other some wretched Government would come into power and talk about the reduction of licences and compensation; that the loan must be kept up whatever interest was paid for it. Eventually the tenant found he could not pay 1½ per cent., that he could not pay his rent, and that he could not pay his rates. The brewers then said they would have to let the house. This the tenant was willing they should do, as it had been a burden to him. When the licence was transferred the tenant naturally said he had deposited £500, and asked whether he was not to get anything back on the transfer, whereupon he was told not to bother them about his deposit, that he had ruined their business, and he had got to get out of it. He went out of it, and some other enlightened sinner came along and did the same thing. There were hundreds of men walking about London who had been ruined in this way. He knew one particular public-house, the licence of which was kept alive, for what reason he could never understand until the Licensing Act came into force. He did not know how many tenants there had been in it. Men of this kind were got to take it and deposit a little money and were turned out. There had been two suicides in that house, and eventually the business was so bad that the brewers had to pay a man to remain in it. When the Licensing Act came in they got £2,100 for shutting it up—after they had killed two tenants there and ruined many. He asked then, and he asked now, that wherever and whenever a house was closed under this Bill, when it presently became an Act, the person who had deposited money in order to take up a licence should be the first person considered. The man who had put his savings into the business had a right to claim some consideration from the State, which had no right to neglect him. It was not always that the owner of the house held the licence. It was, therefore, very difficult to say who the licence-holder was. Everybody knew how this transferring of licences was carried out. They went before the licensing justices and the magistrate turned to the man who held the licence and said: "Are you willing to transfer this licence?" and the man nodded. The magistrate then turned to the man who was going to take it up and said: "Are you willing to take this licence?" and he nodded, and then the parties went outside and squared matters up and separated. He knew three public-houses; the "Noah's Ark," the "Watermans' Arms," and the "Two Brewers." The owners of these houses, the brewers, were anxious to obtain a full licence for a large house in a main road. Counsel was instructed to appear at the Middlesex Licensing Sessions, and he told the story in the delightful way in which counsel could tell these stories. The magistrates were told that his clients were an eminent firm of brewers who were exceedingly anxious to further the cause of temperance, as anxious as anyone in the Court could be to promote temperance, and remove from the weaker portion of the population the temptation to drink. The licensing justices would then ask what his proposal was. They would be told that the brewers proposed to shut up these three houses; that they were perfectly willing to surrender these three licences if the justices granted them a licence for the house for which they now applied. The justices—good, kind, Christian souls—thought this was an offer not to be despised, and that the poor slum-dwellers, exposed to this temptation in this vile neighbourhood, would be benefited. The locality certainly was a vile one from the brewers' point of view. There was nobody there. It cost the brewers £150 a year to keep these houses open, so they willingly surrendered the licences, saved £150 a year by the transaction, and got a fully licensed house in the main road in the bargain. He wondered how much they paid the poor creatures they turned out into the street in their desire to remove the temptation to drink from the slum-dwellers. The whole question of compensation required much consideration. What he wanted was to get at the bed-rock value of the licence, and also what the poor men who had invested their money in the business were going to get out of it. It was not the rich people who were ruined. It was the little men who put their £500 or £700—their savings—into the business. It was no part of the business of the brewers to look after them. A man got a chance where a house was removed for the purpose of improvements. He remembered a case which was brought before his licensing committee, in which the value of the goodwill was elicited. Two documents were produced before them: one was goodwill, £11,000, and the other £7,000 for the lease. The house, he said, had recently been sold for £18,000. The other side, however, said they could produce evidence to the effect that the lease was sold for £7,000, and the goodwill for £11,000; but he challenged them to produce the tenant, who was a tied tenant, to swear that he had £11,000 for the goodwill. They replied that they did not know his address, and he retorted that he knew where he lived. The fact of the matter was the tenant never had 11,000 farthings; he had been turned out to make way for a better tenant, and they wanted to cheat the assessment. Why had they this false sentimentality about compensation? The licence-holders had always taken care of themselves; let the House take care of the man who could not take care of himself.

SIR E. CARSON (Dublin University) said the hon. Member who had just sat down had made a very interesting and amusing speech, but, although he had been honestly trying all the time to follow him, he had not been able to gather the precise question upon which he wished to appeal for information. He was afraid he could not follow the hon. Member into all the various matters to which he had referred, and he really must confess that he had not been present at any of the conversations which had taken place between the thrifty temperance man who had saved a little money and the licence-holder or particular brewer with whom he had to deal. After all, however, there was a question on which he had something to say with regard to the compensation to be paid to the licence-holder. The debate had proceeded for some considerable time, and he did not profess that he should be able to add anything new to the arguments already adduced, but no one could doubt the vast importance in this intended legislation of the particular clause with which they were dealing. If one thing more than another demonstrated to him the spirit in which the Government approached the question, it would be the way in which they were attempting to treat this matter of compensation. After all, they knew very well that they had brought in a Bill which was going to take away from people vast interests, rights, equities, or whatever they might call them—and that they were going to affect those people pecuniarily; and, if they had wished to approach the matter in a fair spirit, inflicting the least possible hardship, the one question on which they would have taken care to be generous was the question of compensation. A good deal had been said about the Act of 1904, and he was told that some quotations had been made from his own speeches when that Act was going through. He was sorry to say he had not had time either to read his own speeches or the quotations; but he thought the position they took up on the Act of 1904, having regard to the situation, was perfectly easy of definition. They were going to reduce these houses at the expense of the trade. If one thing more than another seemed to be forgotten during that debate, it was that the money they were dealing with on the present occasion was the money of the trade. When, under the Parliamentary settlement of 1904, they induced—or compelled, if they liked—these people to levy upon themselves an insurance against their own loss, they asked the trade to subscribe their money as an insurance fund for the purpose of putting down a number of these licensed houses. The hon. Member who spoke a few moments earlier said that they were extremely generous to the trade. He did not know what the extent of the hon. Member's generosity was or how much he paid.

SIR GEORGE WHITE: I am paying a great deal every year.

SIR E. CARSON: I did not know that the hon. Member was a member of the trade or I would not have said such a thing, nor did I know that he very largely contributed to its revenue.

SIR GEORGE WHITE: I have no need to be a member of the trade to pay the expenses of the trade.

SIR E. CARSON said he did not know either that the hon. Gentleman had contributed to any particular extent to the particular revenue which was derived from the trade. What was the question which had to be met in 1904, when the Government of the day were asking for this money? For the purpose of death duties the valuation of these houses was taken at the market value. For every public purpose for which a public-house was taken over by a county council or corporation it was taken at the market value plus something for complusory purchase. If they had a covenant in a deed to keep up the licence of a house, and broke it, they would have to pay damages on the basis of the market value. There was no valuation known to the law at the date of the Act of 1904 for the taking away for any purpose of licensed houses except the market value. The Government were asking the trade to supply £1,500,000 for the purpose of insuring them. What were they to say was to be the basis of compensation? Were they to ask the trade to set up its insurance fund and then say they would not allow them to have out of their own insurance fund the market value of the premises taken away? Would anybody have put such a proposal either before them or before the House? The whole basis of the Bill was and only could be the question of market value. What did they do? They said the market value ought to be ascertained for the purpose of insurance, just in the same way as the value was ascertained for the death duties. That was the whole basis of the scheme put forward. Could it be said that it was an unfair basis? The Kennedy judgment had been referred to, and it was said they had made some change. He thought it would be found that what he said in his speeches on that Bill was that he believed the market value would be what they would have to get at. He said over and over again that all they wanted the

Inland Revenue Commissioners to do was exactly what they did in relation to the fixing of the money for the purpose of the death duties. Was there anything inconsistent with that in the Kennedy judgment? There were many ways in which they might fix the market value. They might go into the district and find out what houses there of the same character had been sold for, what houses there were there, and what demand there was for them. Anyone who had been in compensation cases knew that they called surveyors who would say that they had a house not far away and sold it for such a sum. In that way they arrived at the market value. The fallacy underlying the arguments advanced on the Kennedy judgment was the leaving out of account of the fact that the learned Judge was laying down that what he wanted to get at was the market value. Hon. Members might think the best way was not adopted of arriving at that value. He was not concerned with that. It was not for him to criticise the Lord Justice. The principle remained the same; it was the market value that was sought, and it was the market value which the Government of the day contemplated under the Act of Parliament. It was idle to try and turn the debate on what took place before Mr. Justice Kennedy; the real question was whether the market value was a fair compensation. If there was anything wrong in the opinion of the House in the way Mr. Justice Kennedy arrived at the market value, and if they thought there ought to be an alteration as regarded the fixing of the market value, then they might put it in the Bill; but that did not necessitate getting rid of what only could be the real value, viz., the market value. What was the change proposed? It was well to see what was the real difference between the two sides of the House. The Government proposal was something absolutely different from what was intended by the Act of 1904. He would take an instance, the case of the "Coach and Horses," which had been referred to. He knew hon. Gentlemen opposite did not like it, but it was a very instructive case. The War Office sold it for £10,000. He might take that as a fair indication of the market value. He thought they had a right to get for the taxpayer the full market value of the premises. What would they get under this Bill? £400. It was no use arguing that they were giving what was intended under the Act of 1904, for they were giving something totally different. Having set up this insurance, out of which the market value was to be paid, the first thing they did was to reduce the number of years. The Prime Minister had said that was not germane to the question. With great respect, he thought it was most germane. Insurance was asked for from the trade, on the ground that they were going to get the market value when everybody was treating a licence as if it might reasonably be expected to exist for a number of years, and they said: "The most it can exist for is fourteen years, and you must take that into consideration when you are valuing." In each succeeding year they took off one year, because they were getting nearer the end of the term. In addition they did a great deal more. They gave up the market value, and gave a value as to which he thought nobody in the House understood how it would work out, or on what basis it was made, or for what reason they gave up the market value. Market value was the only possible value upon which they could base any compensation proposal. Was there any estimate of compensation which had ever been based upon the rateable valuation of the premises? Such a thing was impossible, because the rateable valuation of the premises was entirely artificial, and had nothing whatever to say to what was the real value. Several hon. Gentlemen had said that under the Act of 1904 they had a different system of valuation for a free house and for a tied house. That he absolutely denied. How could there be a difference in the market value of a house, whether it was tied or whether it was free? If it was free it could be tied, and the owner had a right to sell it to a man who could have it tied. Where was the injustice, under the Act of 1904? At all events, if they wanted to put forward any intelligible basis of compensation he said, with confidence, that they could not put forward any intelligible basis of compensation other than the market value. They might say the market value was too high, and they would take 20 per cent. off because they were brewers, or they might take a great deal more off, or divide the money in different proportions, but they could never get at the value of any property except by going to the market and seeing what it would fetch. In listening to the Prime Minister one was greatly struck by the development that this debate had had in pointing out that they really had demonstrated an additional Bill inside this Bill. He had heard no answer given to the proposition put forward by the hon. Member for Kingston and the Leader of the Opposition as regarded the question of rateable value. The whole of the Bill was based, as regarded compensation, said the Prime Minister, on Schedule A., but he said that Schedule A. would have to be altered. They had asked over and over again, were they going to alter Schedule A. as regards the whole country? If they were only going to alter it as regards the value of licensed premises it had been demonstrated that they were going for all purposes for which taxation was required to put additional taxation upon one trade, and one trade alone. There was no alternative but either to alter the valuations on Schedule A. all through the country on every class of house and business, or to compel what was admittedly an unjust valuation to remain in the case of public-houses. The truth of the matter was that they were determined to be unfair in their compensation towards these men. It was their money. It was they who had subscribed it under the arrangement made in 1904. The Government were going back upon that arrangement. They were at the same time keeping the money under the Act of 1904, and whittling away almost to nothing the advantages that had been promised. In every particular where the Bill was examined it was so unfair to the interest concerned that one was driven to believe that the Government themselves never could have hoped to pass the Bill. The question of compensation, as far as they had gone, was really a disgrace and a discredit to the House. He appealed to the Government, whatever other provisions they might not be able to alter in a Bill which they said would promote a great social reform in the interests of temperance, that they might at least be somewhat generous even at the expense of the trade itself to those whom they were attempting to rob.

Question put.

The Committee divided :—Ayes, 313 ; Noes, 129. (Division List No. 294.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Ainsworth, John Stirling
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Armstrong, W. C. Heaton
Asquith,Rt.Hon.HerbertHenry
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker,Joseph A.(Finsbury, E.)
Balfour, Rebort (Lanark)
Baring, Godfrey (Isle of Wight
Barlow,Sir John E.(Somerset)
Barlow, Percy (Bedford)
Barnes, G. N.
Barran, Rowland Hirst
Barry,Redmond J.(Tyrone, N
Beale, W. P.
Beauchamp, E.
Beck, A. Cecil
Bell, Richard
Bellairs, Carylon
Benn,W.(T'w'r Hamlets,S.Geo.
Bennett, E. N.
Birrell, Rt. Hon. Augustine
Black, Arthur W.
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Bryce, J. Annan
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burt, Rt. Hon. Thomas
Buxton,Rt.Hn.Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Cawley, Sir Frederick
Chance, Frederick William
Channing, Sir Francis Allston
Cheetham, John Frederick
Churchill, Rt. Hon. Winston S.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins,Sir Wm.J.(S.Pancras,W
Compton-Rickett, Sir J.
Corbett,C H(Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cox, Harold
Crooks, William
Crosfield, A. H.
Crossley, William J.
Dalmeny, Lord
Dalziel, James Henry
Davies, Ellis William (Eifion)
Davies, M. Vaughan- (Cardigan
Davies, Timothy (Fulham)
Davies,Sir W.Howell(Bristol,S.
Dickinson,W.H.(St.Pancras,N.
Dickson-Poynder,Sir John P.
Dilke, Rt. Hon. Sir Charles
Duckworth, James
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne,Major E.Martin(Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Sir Francis (Radnor)
Ellis, Rt. Hon. John Edward
Erskine, David C.
Essex, R. W.
Esslemont, George Birnie
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Fiennes, Hon. Eustace
Findlay, Alexander
Foster, Rt. Hon. Sir Walter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Furness, Sir Christopher
Gibb, James (Harrow)
Gill, A. H.
Gladstone,Rt.Hn.Herbert John
Glen-Coats,Sir T. (Renfrew, W.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Gurdon,RtHn.SirW.Brampton
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Harcourt,Rt.Hn.L.(Rossendale
Harcourt, Robert V.(Montrose)
Hardie,J.Keir(MerthyrTydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Harmsworth,R.L.(Caithn'ss-sh
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey,W.E.(Derbyshire,N.E.
Harwood, George
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hazel, Dr. A. E.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson,J.M.(Aberdeen, W.)
Henry, Charles S.
Herbert,Col.Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hodge, John
Holland, Sir William Henry
Holt, Richard Durning
Hooper, A. G.
Hope,W.Bateman(Somerset,N.
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, Sir James Alfred
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones,William (Carnarvonshire
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D.
King,Alfred John(Knutsford)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Layland-Barratt, Sir Francis
Leese,Sir Joseph F.(Accrington
Lehmann, R. C.
Lever,A.Levy (Essex,Harwich)
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George,)Rt. Hon. David
Lough, Rt. Hon. Thomas
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald,J.M.(Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macpherson, J. T.
M'Callum, John M.
M'Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Manfield, Harry (Northants)
Markham, Arthur Basil
Marks,G.Croydon(Launceston)
Marnham, F. J.
Masterman, C. F. G.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morgan,J.Lloyd(Carmarthen)
Morrell, Philip
Morse, L,. L.
Morton, Alpheus Cleophas
Murray,Capt.Hn A.C.(Kincard.
Myer, Horatio
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Nicholson,Charles N.(Doncast'r
Norman, Sir Henry
Norton, Capt. Cecil William
Nuttall, Harry
O'Donnell, C. J. (Walworth)

O'Grady, J.
Parker, James (Halifax)
Partington, Oswald
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Perks, Sir Robert William
Philipps, Col. Ivor (S'thampton)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pollard, Dr.
Pirie, C. E. (Edinb'gh, Central)
Price, Sir Robert J. (Norfolk, E.)
Priestley, Arthur (Grantham)
Priestley, W. E. B. (Bradford, E.)
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Walter Russell (Scarboro'
Rees, J. D.
Rendall, Athelstan
Richards, Thomas (W. Monm'th
Richards, T. F. (Wolverh'mpt'n
Richardson, A.
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, Sir John H. (Denbighs)
Roberts, J. M. (Tyneside)
Robinson, S.
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rogers, F. E. Newman
Rose, Charles Day
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechape,l)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Scott, A. H. (Ashton under Lyne
Seaverns, J. H.
Seddon, J.
Seely, Colonel
Shackleton, David James
Shaw, Charles Edw. (Stafford)
Shaw, Rt. Hon. T. (Hawick B.)
Sherwell, Arthur James
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanley, Albert (Staffs, N. W.)
Stanley, Hn. A. Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Summerbell, T.
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thomas, Sir A. (Glamorgan, E.)
Thomas, David Alfred (Merthyr
Thompson, J. W. H. (Somerset, E
Thorne, G. R. (Wolverhampton)
Tomkinson, James
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Ure, Alexander
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Walters, John Tudor
Walton, Joseph
Ward, John (Stoke upon Trent
Ward, W. Dudley (Southampton
Waring, Walter
Wason, Rt. Hn. E. (Clackmannan
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker, Rt. Hn. Sir Thomas P.
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Llewelyn (Carmarth'n
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters
Wilson, Henry J. (York, W. R.
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Anson, Sir William Reynell
Arkwright, John Stanhope
Ashley, W. W.
Aubrey-Fletcher, Rt. Hn Sir H.
Balcarres, Lord
Baldwin, Stanley
Balfour, Rt. Hn. A. J. (City Lond)
Banbury, Sir Frederick George
Banner, John S. Harmood-
Baring, Capt. Hn. G (Winchester
Barnard, E. B.
Barrie, H. T. (Londonderry, N.)
Beach, Hn. Michael Hugh Hicks
Beckett, Hon. Gervase
Bertram, Julius
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Chamberlain, Rt Hn. J. A. (Worc)
Clark, George Smith
Clive, Percy Archer
Coates, Major E. F. (Lewisham)
Cochrane, Hon. Thos. H. A. E.
Collings, Rt. Hn. J. Birmingh'm
Craig, Charles Curtis (Antrim, S)
Craig, Captain James (Down, E.)
Craik, Sir Henry
Dixon-Hartland, Sir Fred Dixon
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Duncan, Robert (Lanark, Govan
Faber, George Denison (York)
Faber, Capt. W. V. (Hants, W.)
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Gooch, Henry Cubitt (Peckham)
Goulding, Edward Alfred
Gretton, John
Guinness, Hn. R. (Haggerston)
Guinness, W. E. (Bury S. Edm.)
Haddock, George B.
Hamilton, Marquess of
Hardy, Laurence (Kent, Ashford
Harrison-Broadley, H. B.
Hay, Hon. Claude George
Hill, Sir Clement
Hills, J. W.
Hope, James Fitzalan (Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Joynson-Hicks, William
Kerry, Earl of
Keswick, William
Kimber, Sir Henry
King, Sir Henry Seymour (Hull)
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Lee, Arthur H. (Hants, Fareham
Lockwood, Rt. Hn. Lt.-Col. A. R.
Long, Col. Charles W. (Evesham
Long, Rt. Hn. Walter (Dublin, S.
Lonsdale, John Brownlee
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
MacCaw, William J. MacGeagh
M'Killop, W.
Marks, H. H. (Kent)
Mason, James F. (Windsor)
Mildmay, Francis Bingham
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
Nolan, Joseph
Nussey, Thomas Willians
Oddy, John James
Parker, Sir Gilbert (Gravesend)
Pease, Herbert Pike (Darlington
Percy, Earl
Powell, Sir Francis Sharp

Randles, Sir John Scurrah
Ratcliff, Major R. F.
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Renwick, George
Roberts, S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Ropner, Colonel Sir Robert
Rothschild, Hon. Lionel Walter
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Sandys, Lieut.-Col. Thos. Myles
Sassoon, Sir Edward Albert
Scott, Sir S. (Marylebone, W)
Smith, Abel H. (Hertford, East)
Smith, F.E.(Liverpool, Walton)
Smith, Hon. W. F. D. (Strand)
Stanier, Beville
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.)
Stone, Sir Benjamin
Strauss, E. A. (Abingdon)
Talbot, Lord E. (Chichester)
Talbot, Rt.Hn.J.G.(Oxf'd Univ.
Tennant, Sir Edward (Salisbury
Thomson, W.Mitchell-(Lanark)
Thornton, Percy M.
Tuke, Sir John Batty
Walker, Col.W.H. (Lancashire)
Warde, Col. C. E. (Kent, Mid)
Whitbread, Howard
Williams, Col. R. (Dorset, W.)
Winterton, Earl
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE NOES—Sir Alexander Acland-Hood and Viscount Valentia.

And, it being after half-past Ten of the clock, the CHAIRMAN proceeded, in pursuance of the Order of the House of 17th July, successively to put forthwith the Question on the Amendments moved by the Government, of which notice had been given, and the Questions necessary to dispose of the Business to be concluded this day.

Amendments proposed—

"In page 6, line 23, after the word 'business' to insert the words 'or, where the licence-holder is managing the business on behalf of some other person, for the licence-holder's loss of employment.'"

"In page 6, line 25, after the word 'licence' to insert the words 'not in any case being less than the amount of one year's net profits to be determined in accordance with the rules and regulations of the Acts relating to income-tax.' "

"In page 7, line 2, at end, to add the words '(4) If the amount payable as compensation in respect of the extinction of a licence is not determined or for any other reason is not divided and paid at the time when the licence expire the Licensing Commission shall pay to the holder of the licence such sum as they think fit under the circumstances of the case in anticipation of any sum which may ultimately become payable to him, and any sum so paid shall be deducted from his share in the compensation when the amount payable as compensation is ultimately divided and paid."—(*The Solicitor-General.*)

Amendments agreed to.

Question put, "That the Clause, as amended, stand part of the Bill."

The Committee divided:—Ayes, 314; Noes, 128. (Division List No. 295.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Ainsworth, John Stirling
Allen, A. Acland (Christchurch,
Allen, Charles P. (Stroud)
Armitage, R.
Armstrong, W. C. Heaton
Asquith, Rt.Hn.Herbert Henry
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A.(Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow, Sir John E. (Somerset)
Barlow, Percy (Bedford)
Barnes, G. N.
Barran, Rowland Hirst
Barry, Redmond J. (Tyrone, N)
Beale, W. P.
Beauchamp, E.
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn, W.(T'w'r Hamlets, S.Geo)
Bennett, E. N.
Birrell, Rt. Hon. Augustine
Black, Arthur W.
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Bryce, J. Annan
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burt, Rt. Hon. Thomas
Buxton, Rt.Hn.Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Cawley, Sir Frederick
Chance, Frederick William
Channing, Sir Francis Allston
Cheetham, John Frederick
Churchill, Rt. Hon. Winston S.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins, Sir Wm.J.(S.Pancras, W
Compton-Rickett, Sir J.
Corbett, C H (Sussex, E.Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crooks, William
Crosfield, A. H.
Crossley, William J.
Dalmeny, Lord
Dalziel, James Henry
Davies, Ellis William (Eifion)
Davies, M.Vaughan-(Cardigan)
Davies, Timothy (Fulham)
Davies, Sir W.Howell(Bristol, S)
Dicksonson, W.H.(St.Pancras, N
Dilke, Rt. Hon. Sir Charles
Duckworth, James
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne, Major E.Martin(Walsall
Edwards, Clement (Denbigh)

Edwards, Enoch (Hanley)
Edwards, Sir Francis (Radnor)
Ellis, Rt. Hon. John Edward
Erskine, David C.
Essex, R. W.
Esslemont, George Birnie
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Fiennes, Hon. Eustace
Findlay, Alexander
Foster, Rt. Hon. Sir Walter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Furness, Sir Christopher
Gibb, James (Harrow)
Gill, A. H.
Gladstone, Rt. Hn Herbert John
Glen-Coats, Sir T. (Renfrew, W.)
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Gurdon, Rt Hn. Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardie, J. Keir (Merthyr Tydvil
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r.)
Harmsworth, R L. (Caithn'ss-sh
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey, W. E. (Derbyshire, N.E.
Harwood, George
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hazel, Dr. A. E.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hodge, John
Holland, Sir William Henry
Holt, Richard Durning
Hooper, A. G.
Hope, W. Bateman (Somerset, N.
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, Sir James Alfred
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D.

King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Layland-Barratt, Sir Francis
Leese, Sir Joseph F. (Accrington
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich)
Levy, Sir Maurice
Lewis, John Herbert
Lough, Rt. Hon. Thomas
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macpherson, J. T.
MacVeagh, Jeremiah (Down, S.
M'Callum, John M.
M'Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Manfield, Harry (Northants)
Markham, Arthur Basil
Marks, G. Croydon (Launceston)
Marnham, F. J.
Masterman, C. F. G.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murray, Capt. Hn A. C. (Kincard.
Myer, Horatio
Nicholls, George
Nicholson, Charles N. (Doncast'r
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
O'Grady, J.
Parker, James (Halifax)
Partington, Oswald
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Perks, Sir Robert William
Philipps, Col. Ivor (S'thampton)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pollard, Dr.
Price, C. E. (Edinb'gh, Central)
Price, Sir Robert J. (Norfolk, E.)
Priestley, Arthur (Grantham)
Priestley, W. E. B. (Bradford, E.)
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Walter Russell (Scarboro'

Rees, J. D.
Rendall, Athelstan
Richards, Thomas (W. Monm'th
Richards, T. F. (Wolverh'mpt'n
Richardson, A.
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, Sir John H. (Denbighs.)
Robertson, J. M. (Tyneside)
Robinson, S.
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rogers, F. E. Newman
Rose, Charles Day
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Scott, A. H. (Ashton under Lyne
Seaverns, J. H.
Seddon, J.
Seely, Colonel
Shackleton, David James
Shaw, Charles Edw. (Stafford)
Shaw, Rt. Hon. T. (Hawick B.)
Sherwell, Arthur James
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanley, Albert (Staffs, N.W.)
Stanley, Hn. A. Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Straus, B. S. (Mile End)
Stuart, James (Sunderland
Summerbell, T.
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thomas, Sir A. (Glamorgan, E.)
Thomas, David Alfred (Merthyr
Thompson, J. W. H. (Somerset, E
Thorne, G. R. (Wolverhampton
Tomkinson, James
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Ure, Alexander
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Walters, John Tudor
Walton, Joseph
Ward, John (Stoke upon Trent)
Ward, W. Dudley (Southampt'n
Waring, Walter
Wason, Rt. Hn. E (Clackmannan
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)

Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker, Rt Hn. Sir Thomas P.
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Llewelyn (Carmarthen
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Anson, Sir William Reynell
Arkwright, John Stanhope
Ashley, W. W.
Aubrey-Fletcher, Rt. Hn. Sir H.
Balcarres, Lord
Baldwin, Stanley
Balfour, Rt Hn. A. J. (City Lond.)
Banbury, Sir Frederick George
Banner, John S. Harmood-
Baring, Capt. Hn. G (Winchester
Barnard, E. B.
Barrie, H. T. (Londonderry, N.)
Beach, Hn. Michael Hugh Hicks
Beckett, Hon. Gervase
Bertram, Julius
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Chamberlain, Rt Hn. J. A. (Worc
Clark, George Smith
Clive, Percy Archer
Coates, Major E. F. (Lewisham)
Cochrane, Hon. Thos. H. A. E.
Collings, Rt. Hn. J. (Birmingh'm
Courthope, G. Loyd
Craig, Charles Curtis (Antrim, S.
Craig, Captain James (Down, E.)
Craik, Sir Henry
Dixon-Hartland, Sir Fred Dixon
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Duncan, Robert (Lanark, Govan
Faber, George Denison (York)
Faber, Capt. W. V. (Hants, W.)
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Gooch, Henry Cubitt (Peckham)
Goulding, Edward Alfred
Gretton, John
Guinness, Hon. R. (Haggerston)
Guinness, W. E. (Bury S. Edm.)
Haddock, George B.
Hamilton, Marquess of
Hardy, Laurence (Kent, Ashf'rd
Harrison-Broadley, H. B.
Hay, Hon. Claude George
Hill, Sir Clement
Hills, J. W.
Hope, James Fitzalan (Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Joynson-Hicks, William
Kerry, Earl of
Keswick, William
Kimber, Sir Henry
King, Sir Henry Seymour (Hull)
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Lee, Arthur H. (Hants, Fareham
Lockwood, Rt. Hn. Lt.-Col. A. R.
Long, Col. Charles W. (Evesham)
Long, Rt. Hn. Walter (Dublin, S)
Lonsdale, John Brownlee
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
MacCaw, William J. MacGeagh
M'Killop, W.
Marks, H. H. (Kent)
Mason, James F. (Windsor)
Mildmay, Francis Bingham
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
Nolan, Joseph
Oddy, John James
Parker, Sir Gilbert (Gravesend)
Pease, Herbert Pike (Darlington
Percy, Earl
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Ratcliff, Major R. F.
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Renwick, George
Roberts, S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Ropner, Colonel Sir Robert
Rothschild, Hon. Lionel Walter
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Sandys, Lieut.-Col. Thos. Myles
Sassoon, Sir Edward Albert
Scott, Sir S. (Marylebone, W)
Smith, Abel H. (Hertford, East)
Smith, F. E. (Liverpool, Walton)
Smith, Hon. W. F. D. (Strand)
Stanier, Beville
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.
Stone, Sir Benjamin
Strauss, E. A. (Abingdon)
Talbot, Lord E. (Chichester)
Talbot, Rt. Hn. J. G. (Oxf'd Univ.
Tennant, Sir Edward (Salisbury
Thomson, W. Mitchell- (Lanark)
Thornton, Percy M.
Tuke, Sir John Batty
Walker, Col. W. H. (Lancashire)
Warde, Col. C. E. (Kent, Mid)
Williams, Col. R. (Dorset, W.)
Winterton, Earl
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE NOES—Sir Alexander Acland-Hood and Viscount Valentia.

Clause 11:

Amendments proposed—

"In page 7, line 3, after the word 'compensation,' to insert the words 'excluding any additional sums in respect of loss of business or employment or depreciation of fixtures.'"

"In page 7, line 12, to leave out the word 'and.'"

"In page 7, line 13, to leave out the words '(b) Any,' and to insert the words '(2) The additional sums in respect of loss of business or employment and depreciation of fixtures shall be dealt with as follows: (a) The'"

"In page 7, line 14, after the word 'business' to insert the words 'or employment.'"

"In page 7, line 14, after the word 'to' to insert the words 'and notwithstanding any agreement to the contrary may be retained by.'"

"In page 7, line 15, to leave out the word 'any' and to insert the words '(b) The.'"—(*The Solicitor-General.*)

Amendments agreed to.

Clause, as amended, agreed to.

Committee report Progress; to sit again To-morrow.

Whereupon, Mr. SPEAKER, pursuant to the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at five minutes before Eleven o'clock.

HOUSE OF LORDS.

Wednesday, 28*th October*, 1908.

RETURNS, REPORTS, ETC.

BOARD OF EDUCATION.

List of efficient secondary schools and recognised pupil-teacher centres (England), 1907–1908.

CANADA, AUSTRALIA, AND NEW ZEALAND.

Further correspondence with Canada, Australia, and New Zealand relating to merchant shipping legislation (in continuation of [Cd. 3891], January, 1908).

TRADE REPORTS—ANNUAL SERIES.

No. 4156. Persia (Seistan and Kain): presented (by Command), and ordered to lie on the Table.

POST OFFICE (FOREIGN AND COLONIAL POST).

The Foreign and Colonial Post (Cash on Delivery) Amendment (No. 4) Warrant, 1908, dated 30th September, 1908: Laid before the House (pursuant to Act), and ordered to lie on the Table.

CHILDREN BILL.

[SECOND READING.]

Order of the day for the Second Reading read.

THE LORD STEWARD (Earl BEAUCHAMP): My Lords, I am glad to say that this Bill which I ask your Lordships to read a second time this afternoon is not quite the formidable document which it appears to be at first sight. A large number of its clauses are really consolidation clauses, and it is only a comparatively small proportion of the total number which embody any new principle. Of the 133 clauses which there are in this Bill no fewer than ninety-four are consolidation clauses, and they consolidate 312 clauses in statutes which are repealed in another part of the Bill. Really this Bill is more of the character of an omnibus Bill dealing with children in different stages of their growth. It covers them while they are infants, while they are children, and often follows them when they become young persons. There is only one question in their youth which is omitted, and that is the subject of education, and I venture to hope that the Bill will perhaps go through your Lordships' House with the greater ease as that subject is omitted throughout the whole course of the Bill.

Your Lordships will, I am sure, agree that in the complications of modern life it is very desirable that the weakest should be protected. The weakest are obviously the children, and what this Bill does is to ask your Lordships to assent to the extension of various principles which have been approved by experience in the past in this and sometimes in other countries. The Bill is divided into six parts, and I will take each part in turn and explain to your lordships the more important and the new provisions in the various Parts. Part I. embodies the Infant Life Protection Act of 1897 with a large number of Amendments of detail which experience has shown to be necessary in order to prevent evasion of the intention of the law. The first clause raises the age of children from five to seven years; that is in accordance with the recommendation of the Select Committee. All homes are included in which even one infant is maintained. Exemptions are allowed when these one-child homes are inspected by charitable organisations, and, in other individual cases, where the local authority thinks that the interest of the child does not require the inspection. Then there is a new provision in Clause 7 by which the life of infants put out to nurse may not be insured by the foster-parents. These are really the chief matters in Part I.

In Part II. is embodied the Prevention of Cruelty to Children Act of 1904, and I should like, in passing, to say one word of tribute to that excellent society, the Society for the Prevention of Cruelty to Children, and though the noble Earl is not present, perhaps I may add a special word of praise of the noble Earl, Lord Ancaster, who for many years has watched over the work of that society and done a great deal to advance its interests in every direction. In the same way, in Part II. there are also a certain number of changes of detail. There is a new clause—Clause 15—which penalises a parent of a child who has been overlaid while that parent was under the influence of drink.

I should like to say a word or two with regard to that clause as it contains a new principle. Statistics have been taken showing the number of deaths which take place from suffocation in bed on the various days of the week, and it has been found that more than twice as many of these deaths take place in the course of Saturday night and Sunday morning. That is the time when those parents who are in the habit of indulging too freely in alcoholic liquor generally go to bed drunk. That is on Saturday nights, and it is on those nights that deaths are very much more frequent than on any other night in the week. The proportion per thousand on Saturday nights and Sunday mornings is 283, and the only night in the week which approaches that is Tuesday night, when there are 137. It is a very striking figure that the deaths of infants from overlaying should be twice as high on Saturday night as on any other, and it certainly does make out the case for the provision in this Bill. We can go further. There are figures that show that during holiday weeks, when, again, there is more drunkenness than at other times, there is also a larger number of deaths from this same cause than during non-holiday weeks. The proportion is 17·2 in holiday weeks, and 10·8 in non-holiday weeks. That is Clause 15.

I go back for a moment to Clause 14. That is a new clause, because it imposes penalties where children are burnt to death or seriously injured through unguarded fires, where no precaution has been taken. Then there are three clauses which are intended to extend the law for the protection of young girls, and Clause 25 gives the Home Secretary power to arrange for the inspection of all homes for children which are in receipt of public subscriptions. That is a demand which has been made for a great many years, and to which I do not think there will be any objection in your Lordships' House.

With regard to Part III., that is a portion of the Bill which has, perhaps, provoked the greatest criticism outside. That part deals with the question of juvenile smoking. It is not necessary to remind all your Lordships, only some, that a Select Committee of this House sat last year and dealt with the whole question of juvenile smoking. They recommended that legislation should be undertaken in order to deal with this difficulty, and in their Report they pointed out that legislation to this effect had already been passed in a large number of Colonies of the British Empire. I think I may say at once that it is the hope, or one of the hopes, of the promoters of this Bill, not that there will be a large number of convictions under any of its clauses, but that it will act as a deterrent, that it will help to form a public opinion that will prevent children from smoking. It is not unlikely that the chief effect of the Bill will be to act as a warning, and I hope that if that really takes place there will be a comparatively small number of prosecutions under this particular part of the Bill.

I think the provisions of the Bill which deal with juvenile smoking are perfectly simple. The tobacconist is liable for a first offence to a fine not exceeding £2, and it is also made the duty of a constable and park-keeper or other person having the powers of a constable and being in uniform, to seize any cigarettes or cigarette papers in the possession of any person apparently under the age of sixteen whom he finds smoking in any street or public place. Really, comparing the provisions of this Bill with the various enactments which have been before the public, it is only fair to say that this is an exceedingly moderate measure, and does not go nearly so far as other proposals which have been put forward at various times.

Then I come to Part IV., which is the most technical part. No fewer than nineteen statutes are embodied in this part of the Bill. Considerable changes are made in the law with regard to industrial schools, new categories of children are added, it is made compulsory on local authorities to contribute to the maintenance of children resident in their district who have been committed to reformatory or industrial schools, the day industrial school system is extended to Ireland, and there are a number of minor Amendments effected in this branch of the law. There is not, however, anything of great or startling originality in these proposals. Then I come to Part V. Clause 94 deals with juvenile offenders, and here there is a very distinct principle which underlies the whole of this Bill, and it is that there shall be the most complete separation between the juvenile offenders and hardened criminals. That is a request which has been made by all those who have been interested in social reform for a great many years past. The object is to prevent children who are brought into the various police Courts from being contaminated by association with those who have been there before.

And here it is only fair to call attention to the way in which I hope this Bill will do something to remove the effect as well as the cause of juvenile crime. Very often these juvenile offenders only become hardened criminals because of their association with those who have been in police Courts and in prisons before. If you do your utmost to prevent the juvenile offender from coming into contact with these hardened criminals, you go a long way towards removing one of the most potent causes of juvenile crime. The first clause under Part V. deals with the question of bail. It allows the police to release a juvenile offender on bail. The same idea runs through the following clauses — namely, that the juvenile offender should be kept away as much as possible from the contamination to which I have referred, and I think it is most important that this should be done because it is impossible to say that at the present moment juvenile crime in this country is decreasing. It is therefore the more important that every possible measure should be taken to prevent an increase of juvenile crime.

Clause 98 enforces the responsibility of parents for the wrong-doing of their children. This is a point on which I think a large number of your Lordships are inclined to lay a good deal of stress Under this clause the presence of the parent can be enforced in all cases where he can be found, and the clause requires the Court to impose on the parent payment of a fine where it thinks the case can be best met in that way. Imprisonment in ordinary gaols is forbidden for children and young persons up to the age of sixteen, except in special circumstances. In Clause 103 the death sentence is abolished in the case of any child or young person, and I think that is a clause which will pass through your Lordships' House without any opposition.

Then comes the question of the places of detention, which is an interesting point. Local authorities are required, in Clause 108, to provide places of detention for children who are apprehended and cannot be released on bail. Children or young persons can only be sentenced to confinement in places of detention for a short period where other means of dealing with them is not possible. It is expected that, generally speaking, except in very large towns, the local authorities will be able to make arrangements with existing institutions for this purpose, and the number of children who will be confined in any place of detention, except in the very largest towns, is not likely to be very great. The Treasury will pay for the maintenance of a child or young person committed to a place of detention on remand, or by any other order of the Court. Clause 111 establishes universally the system of juvenile Courts. These juvenile Courts are already in existence in other countries, and even in a considerable number of the larger towns in this country. They have been found to work very successfully, and therefore this clause, although a new one, may be said chiefly to extend what is already the practice in several parts of the country.

Then I come to Part VI.—the last part—of the Bill, which contains miscellaneous and other provisions. Clause 117 raises the age at which pledges may be received from children by pawnbrokers to fourteen. It is now twelve in all parts of the country except London and Liverpool, where it is sixteen. It is raised from twelve to fourteen, but the position in London and Liverpool is unaltered. In Ireland, where there is at present no restriction in this matter, the age has been fixed at thirteen. Then there is another clause which deals with vagrant children, the object being by applying the Education Acts to prevent the children being taken about the country at all. Another clause requires precautions to be taken for safety from fire and panic of children assembled in large numbers in places of entertainment, and a further clause deals with the case of verminous children and their cleansing. So that your Lordships will see that, while there is no great constitutional point of principle dealt with in this Bill, there are a large number of details. His Majesty's Government hope, therefore, that the Bill will go through your Lordships' House without any difficulty, and they trust that the accumulative effect of its various provisions will go far to benefit the children of the country.

Moved, "That the Bill be now read 2ª."—(*Earl Beauchamp.*)

*LORD ALVERSTONE: My Lords, I trust your Lordships will permit me to occupy your time for a few minutes on this Bill. I wish to thank His Majesty's Government for the measure they have introduced and to congratulate them upon it, and also to thank my noble friend the Lord Steward for the very interesting statement he has made in introducing the Bill to the House. I trust I may have some small claim to speak on this measure, as I introduced and carried through the House of Commons the Act of 1894, and I also had a great deal to do in your Lordships' House with carrying the Act of 1904. Moreover, this is a subject to which for twenty years I have paid the closest attention and in which I have taken the greatest interest.

The noble Earl is perfectly justified in saying that this Bill is to a large extent the outcome of the advance of public opinion, and I may take some pardonable pride in observing that four or five of the main provisions in this Bill were inserted in the draft which I presented to the House of Commons; but public opinion was not sufficiently ripe in those days to enable me to carry them. I do not propose to occupy your Lordships' time in the discussion of matters that might be more properly raised in Committee, but there are one or two points to which I wish to direct the attention of His Majesty's Government, because I think they may require some consideration before the Bill goes into Committee, and I think it would be not inconvenient if I indicated them rather than postpone entirely until the Committee stage the observations I have to make.

I am very glad to find that the provisions in Clause 7, dealing with the avoidance of policies of life assurance of infants kept for reward, has been introduced, limited though it is to the person in charge of infants having a direct or indirect interest in the insurance of the child. At one time we proposed to go further. Probably we were wrong. At any rate, nobody, I think, can object to the clause as far as it goes now, but I think it will require strengthening. It will be necessary to make provision against insurance in other names. I am aware that the word "indirect" is used, but the common way is for these people to take the insurance out in the name of the parent. That provision, as I say, will require strengthening.

The noble Earl referred to Clause 14, which deals with exposing children to the risk of burning. That, again, was one of the clauses we discussed. I think that clause, too, requires consideration. I am not quite sure that the mother who may be accidentally out of the room for a short time is sufficiently protected. The reason why I call the attention of His Majesty's Government to that clause is this—that a Bill was introduced into the House of Commons last year, supported by both parties, but largely backed by supporters of His Majesty's Government, which proposed a provision in rather a better shape. Possibly the noble Earl, the Lord Steward, would not mind considering that Bill to see before the Committee stage whether Clause 14 might not be brought in line with the Bill as then proposed. Then, with regard to the clause dealing with the suffocation of infants, I am well acquainted with the statistics to which the noble Earl referred, and with the fact that a large number of these deaths occur on the days of the week, and at the periods to which the noble Earl referred. But I wish to make this observation. This clause has created a great deal of public outcry, I think most unjustly. It has been said, "If the mother takes the child into bed for the purpose of its warmth and the child happens to be suffocated, she will be made a criminal." That really is not so. This clause only deals with cases where it is proved that the parents went to bed drunk, and I am sure no objection could really be taken to that provision.

There is a question, which I do not wish to discuss for obvious reasons, arising on Clause 17. I refer to the introduction of the word "favours." I think it is doubtful whether the law is improved by this provision, but I will communicate with the noble Earl on this point. I would ask His Majesty's Government to consider whether it would not be better to delete from the Bill altogether Clause 26—the clause as to habitual drunkards. It is a little foreign to the general scope of the Bill, and my experience is that the power of dealing with inebriates under 61 and 62 Victoria, c. 60, under which they can be dealt with without their consent, is far more effective than the provision in this Bill. This Bill practically only enables an inebriate to be kept under control with his or her own consent, and the result of a conviction under the Bill would be that if they went in they could get out the next day. This is a practical question. The society to which the Lord Steward has referred has not infrequently taken proceedings under 61 and 62 Victoria, and has been met with the objection, "Why do you not go under your own Act?" I venture to think it will be found better that Clause 26 should go out of this Bill. Personally I do not think any amendment of the law is required, but, if that is thought desirable, it should be by an amendment of the Act to which I have referred, and not by the provision in this Bill.

I am afraid that I shall not, perhaps, meet with the same support from His Majesty's Government in the next appeal I am going to make. But I would earnestly ask the Government to take the clauses about smoking out of this Bill and to make them a separate measure. They have nothing to do with the main scope of the Bill. I am not going to discuss now whether those clauses are good or bad clauses. There is a great deal to be said on both sides. I do not urge their being taken out for the reason that I am a smoker, because I am not. These clauses introduce into the Bill an element which must be controversial, and, further than that, I think the clauses as they now stand are by no means sufficient. As now drafted they involve questions of difficulty, and I do not think it is wise that they should remain in the Bill. There are matters in the Bill which ought to pass your Lordships' House with the consent of the great majority, if not unanimously, and I know that those who are most anxious that the Bill should pass share my opinion that into the Bill has been introduced a controversial and difficult question, and one which certainly was not in the scope of the Bill as it was introduced in the House of Commons. I ask that His Majesty's Government will be good enough to consider whether or not something might not be done to make the provisions as to juvenile smoking the subject of a separate measure instead of finding a place in this Bill.

I do not do more, with regard to Part IV. of the Bill, than add my testimony to what the noble Earl has said. I believe it to be a very valuable consolidation of the existing law, removing difficulties which we, His Majesty's Judges, have felt in executing the criminal law, and I trust that that part of the Bill will receive careful consideration. I believe it to be admirably done and to present no controversial question.

With regard to Part V., I do not think there is any amendment of the law which would be likely to produce more good than the separation of the juvenile criminal from the old offender. With the best care possible on the part of superintendents and sergeants, there still is from time to time contaminating influence, and we who go down to the assizes to try these poor young boys constantly have it brought to our notice by the very fair inspectors, who never state a case against a person unfairly, that the offence has been largely due to association with those who were steeped in crime. As to separate juvenile Courts, that, to my mind, though desirable, is a very small branch of the matter. Magistrates throughout the country do now take care that children's cases are practically heard by themselves, but it is well that the Legislature should recognise this. I think the other provisions of the Bill are more likely to conduce to the beneficial results at which we aim than the mere establishment of children's Courts, though in my judgment that provision also is an extremely good one. I am afraid I have occupied your Lordships' time longer than I should have done. I hope this measure will, as I am sure it will, receive the fairest consideration at your Lordships' hands, and my only desire is to make it a measure which will work well. It is for that reason that I have ventured to make the appeal concerning the smoking clauses.

THE EARL OF MEATH: My Lords, although at a later stage I hope to be allowed to move some Amendments, I desire to associate myself with the noble and learned Lord who has just sat down in my congratulations to the Government for having introduced what I cannot help saying is a most excellent measure. At the same time there are certain parts of the Bill which I believe many of your Lordships think might be improved. As an Irishman, I thank the Government for having extended the day industrial school system to Ireland. Then there is the question of being able to punish those who are drunk in charge of children. I think that is a most important provision. Then, with regard to the question of remand, I am very glad that imprisonment is abolished, and I hope the remand will mean that the parents will be fined if they do not take some trouble to train their children properly and punish them for wrong-doing. I have seen with pleasure that some magistrates have remitted the fine for the moment on the understanding that the child should be punished. I think it is a most important thing that the responsibility of the parents should be brought home to them.

With regard to juvenile Courts, I am proud to think that Dublin was the first city in the United Kingdom to establish these Courts, and I am very glad indeed that in this Bill steps have been taken to make them universal. There is another point of very great importance. It has saddened my heart for years to see miserable children being dragged about the country from workhouse to workhouse by idle ruffians, and it is a very great satisfaction to me that these children will in future be taken out of the hands of these people and properly trained. The one thing which it seems to me we have to bear in mind above everything is lest we should in any way weaken the responsibility of parents for the bringing up of their children. It is to my mind an important thing that we should make parents understand that if a generation of virile and good men and women is to be brought up, it can only be done through them. We should force them, if we can, to take charge of their children and train them properly. Character is everything, and character can only be trained in the home.

Let us also, in our endeavour to shelter the children, take care that we do not in any way destroy their moral fibre. I may be wrong, but it appears to me that the rising generation of this day have been a little pampered, and that there are signs of a lack of discipline among them. As President of the Church Army, I know that a large number of those men who call themselves unemployed would not take a job if they could help it. I saw in one of the illustrated papers the other day, a group of so-called unemployed, carrying banners containing the words "Work or riot." Most of them were lads. I want to know how many of them are going into the Territorial Force. My impression is that Mr. Haldane will get very few of them. Has not this something to do with want of discipline in the home at the present day? Has it not also something to do with the general feeling that we should make everything easy for the rising generation? I do not object to that myself, but it must be remembered that the finest characters have been formed by hardship, toil, and struggle. I hope we shall bear that in mind. The days of harshness, thank God! are gone for children. My only fear is lest we should now err in the other direction.

*LORD LEIGH: My Lords, I would venture to suggest to His Majesty's Government whether it would not be better, as regards Clause 1, which deals with baby farming, to reinstate the regulation as to notice being given where the period for which the infant is received is twenty-four hours or less, instead of forty-eight hours, as in the second paragraph. Also as to whether it is not inadvisable to exempt particular premises from being visited, as is proposed in Clause 2. No hardship is inflicted by such visits where the home or institution is properly conducted, and the revelations that are made from time to time as to what occurs in some institutions would seem to point to the wisdom of not relaxing periodical inspection.

With regard to Clause 57, may I suggest that any superannuation scheme be instituted by His Majesty's Government instead of its being left to the various committees of the reformatory schools to decide on. There is quite an epidemic of old-age pensions raging now. For good or for evil the principle has been adopted; but in the case of superannuation allowances, there is, at all events, the guarantee that they are for services rendered, and it would seem rather unfair if in some cases, the reformatory officers were granted them and in other cases not. It is worth bearing in mind that the reformatories of the country furnish it, on an average, with a battalion of 1,000 young soldiers every three years, and excellent soldiers they are, as a rule. It should be remembered that masters of workhouses, relieving officers, clerks of boards of guardians, the police, elementary school teachers, and others, already have the benefit of superannuation allowances, and it cannot be denied that reformatory officers have responsibilities at least as great as have any of those mentioned, and it would seem to be more certain that equal justice would be meted out to all the reformatory officers, should the scheme be brought under State control. Perhaps His Majesty's Government may think the suggestions worthy of consideration.

*THE LORD BISHOP OF RIPON: My Lords, I should like, in the first instance, to associate myself with what the noble and learned Lord, the Lord Chief Justice, has said, that one of the great facts which will make us most welcome a measure of this sort, is the indication which it gives of an improved public opinion. If it is true that legislation can never go beyond public opinion, then certainly we ought to be thankful that a measure of this sort has been entrusted to our care, because it does indicate that there has been an immense advance during the last fifty years.

Those whose temperament is pessimistic are often inclined to tell us of our defects, but surely it is a wise thing at a time of this kind to look back. Fifty years ago it might be said that children had no rights at all, and I think I am correct in saying that twenty-five years ago, and even less than that, it was difficult for us to imagine that the law took any cognisance, so to speak, of cruelty to children. But during the last twenty-five years a marked advance has been made, and I conclude that we might call this measure the high water mark of public opinion. It is in that respect that I think we ought to give it the heartiest welcome, because it does mean that behind the measure there will in all probability be that active support of public opinion which will give it effectiveness in its working.

I am sure I am only voicing what many Members of your Lordships' House must have felt in saying that when I looked at the Bill I was a little daunted. It is bulky and contains an enormous amount of detail. In point of fact, it is so multitudinous in its provisions that it might almost frighten anyone from undertaking its consideration; but I think we may have no hesitation in dealing with so large a measure because we have good hope that it will be well supported by the public at large.

Having said that much, may I go a step further? I welcome this Bill not merely because it indicates this great advance in public opinion, but because it indicates a determination on the part of His Majesty's Government to deal with these evils. I welcome the direct advantages of this Bill. I welcome the increase of the age of protection from five to seven years, for, after all said and done, can anyone looking into the faces of children imagine that it was a wise thing to draw a line at five years, remembering the little difference there is between five and seven and the fact that in the time of our ancestors seven was regarded as the age of infancy and not five? I welcome also the step taken in dealing with the insurance of child life. Those who remember the Committee which sat on this subject some years ago will recall that it was one of the matters which exercised the gravest consideration. It was impossible at that time to secure effective legislation, and I am glad to welcome the step contained in this Bill towards protecting child life from these dangers.

Besides that, I welcome as directly valuable the facing of the question of the over-laying of children. We live in a time in which we are being constantly told, and told truly, that it is a very important thing for us to safeguard the infant life of the nation. We are not in a position to be able to afford to diminish in any way, or to leave any opportunity of diminishing, the number of children that will be effective citizens in the future. The dangers of our diminishing population are far greater than many of your Lordships are aware of, and, therefore, anything which will protect child life is of the greatest importance. As I understand it, the evidence of coroners goes to show that the number of cases arising from overlaying amounts to 1,200 or 1,700 in the course of the year. Think what that means. If you can in any way protect the lives of children as numerous as those, you are preserving for the rights and the opportunities of citizenship a small army, and those who may be valuable citizens in the days to come.

As to the direct advantages of the Bill, I welcome the very matter concerning which the noble and learned Lord the Lord Chief Justice feels some misgiving. I cannot help thinking that it would be a very great mistake if we were to drop out of this Bill the provisions against juvenile smoking. We are here considering what can be done to safeguard the life and the health of the children. The medical evidence as to the injury of smoking in infant years is very great. I remember being very much struck by an investigation which was made in America concerning a particular school in which the boys were allowed to smoke, and the result was that the teachers reported that the children who did not smoke were always physically, mentally, and morally in advance of those who did, and I think it is a most important thing that we should express our opinion against this injurious tendency, which is likely to disturb and destroy both the physical and moral well-being of the children of this country. I quite admit that the provisions regarding juvenile smoking may appear to some to have been somewhat artificially grafted upon this Bill; but, on the other hand, would it be wise to lose this opportunity of protecting the boys of the next generation by dropping valuable provisions which have been successfully carried through the other House? Surely it would be a mistake to lose this opportunity of dealing wisely and well with what I cannot help thinking is a real national evil.

I could have wished that other things had been added to the Bill. I could have wished, for instance, that there had been some provision to protect children after they have left school from being exposed to the over-working of their system under the pressure of modern life. Whereas the number of young people employed doing work while at the same time partially attending school —commonly known as "half-timers—" was 348,000 a year or two ago, it rose to 381,000 in the following year. I suppose the pressure of circumstances in the homes of the people is responsible for these things, but surely from a national point of view it is very undesirable that the growing physique of children should be taxed by undue labour at this critical period in their existence.

I welcome perhaps more than anything else in the Bill what is proposed for the protection of the mental and moral environment of children. Something has been said by the noble Earl on the cross benches concerning the great danger of diminishing parental responsibility. I endorse every word of what is said on that subject. It would be an appalling danger to our country if we were to do anything which weakened the moral fibre and therefore brought down the strength of character of the people of these islands. But there is behind that another question which we cannot ignore. When we find that parents are not accepting their responsibility, when we find that their influence over their children is injurious rather than good, when we find that children are dragged about the country, and have, as it were, formed within their little natures almost before they are aware of it that restless habit of the tramp and vagrant, then I say it is fitting time for the Government to step in and say that all children are the natural care of the State, and that where parental responsibility is not understood and not acted upon, we must for the very sake of the preservation of the State, step in and say we cannot afford this wastage of human life. We are bound at all costs to see that the children grow up in such a fashion that they may become useful, serviceable, and profitable citizens of this great Empire. It is for that reason more than any other that I welcome this measure.

We need not be under any pessimistic apprehension concerning the condition of the population. It seems to me to be established, almost beyond the power of being rebutted, that if you can only change the environment you can so fashion the physique and the character of the child that he shall grow up to be useful and profitable in the citizenship of the country. And hence it seems to me it would be ignoring the lessons of the past and losing the opportunities of the present, if we were to fail to give effective result to a measure which dealt with the change of the environment of the child, so as to give it opportunities of the freest and fullest and best development. My Lords, I have done. I only rose to speak these few words because, having looked into this matter from various points of view, I felt that this Bill deals with one great need and pressing need of our time. I trust your Lordships' House will pass, with such modifications as may be deemed wise, this useful measure, for which we are all very grateful to His Majesty's Government.

THE EARL OF LYTTON: My Lords, I should like to add a few words of congratulation and of gratitude to His Majesty's Government for the amendments of the existing law which they have introduced in this Bill. The speeches which have been made, although they indicate some points upon which criticism may be raised at a subsequent stage of the Bill, indicate, I think very clearly, that we have passed a long way from the day when a Bill of this sort could be considered a revolutionary measure.

This Bill introduces into the strife and turmoil of our usual political controversy a very gratifying and refreshing spirit of harmony and peace. It is in direct contrast to the usual proposals which we are accustomed to from the Government benches, no matter by what Party those benches may be occupied. In fact, if the Government introduce many more measures of this kind, I feel that noble Lords on this side of the House will have to join the ranks of the unemployed. It is their business to criticise Government measures, and their business will be taken from them. But, perhaps for that very reason, this Bill is likely to arouse less interest than some of its more controversial companions in the Government programme. It is an inevitable fact in politics that the acuter the policy the greater the interest. Where all are agreed, then interest wanes and enthusiasm dies down. It is probable, therefore, that in this House, perhaps, this Bill may be overshadowed, if not altogether eclipsed, by the licensing proposals, the education proposals, the land proposals of His Majesty's Government.

But, my Lords, outside the walls of Parliament there are a great many people who regard this Bill as the reward of long years of labour, people who for a great many years have been toiling patiently, silently, and laboriously, amassing facts and putting together statistics collected in the workhouses, in the industrial and reformatory schools, in the criminal Courts, and in the slum homes of this country. These people will, I believe, consider this Bill to be of more value than all the other measures of the Government put together. Not only great organisations like the National Society for the Prevention of Cruelty to Children, the Church of England Waifs and Strays Society, the State Children's Association, and other similar bodies, but individual men and women have been working for the reforms which are granted in this Bill for some ten years past, and though their attempts have not reverberated upon the ordinary political platforms, though they have not been trumpeted in the Press, I am glad to think that they have at last found their way to the ears of His Majesty's present advisers.

I am glad also to acknowledge that on the whole this Bill has been strengthened and improved since its first introduction. I take as one example the very first clause of the Bill, which includes for the first time the single-child cases in foster homes. In the past lack of inspection of the children situated in these homes has led to a long chapter of crime and cruelty. In the last four years the National Society for the Prevention of Cruelty to Children investigated no fewer than 3,000 cases of cruelty to such children, yet the noble Earl on the front cross bench said we had passed away from the days of cruelty and hardship in child life. I wish it could be said that that was strictly true. Not only have these 3,000 cases of cruelty been investigated, but in a much less time than these four years four women have been executed, having encompassed the death of the single child committed to their charge. But, apart altogether from these very terrible facts, there is existing still in these homes a great deal of quite unnecessary misery and suffering due to the carelessness or ignorance of entirely well-meaning foster-parents. I am glad to think, therefore, that these homes are being brought at last within the scope of the law.

I do not propose to follow the noble Earl who introduced this Bill in a very clear and admirable speech through the various details of amendments which the Bill makes in the existing law. I would only like to express my great satisfaction at one clause in Part IV. which deals with industrial and reformatory schools. I refer to Clause 54, which now gives to managers of industrial schools a power which has long been used with great advantage by Poor Law guardians—the power of boarding-out the children under their care in homes that they may consider suitable for the purpose. The result of this provision will be that children will no longer be condemned during all the precious years of their childhood to the monotony and tedium of life in an institution. Though fate has robbed them in their early infancy of their own real home, yet they will be able, under this system, to realise some of the meanings of that word. They will be able to experience some of the tender influences of real personal affection under circumstances where their own individual character and temperament will be given opportunities of being fostered and developed.

But, though the provisions contained in the first four parts of the Bill are immensely valuable, I cannot help thinking that they are small when compared with the great merit of Part V. of the Bill—those provisions which establish Courts for the trial of juvenile offenders and seek to save young boys and girls from the contamination of the police Courts. These are, after all, only a tardy recognition of principles which for many years past have been accepted, and been found of immense value in many of the States of America. The whole of this part of the Bill is conceived, not only in a spirit of tenderness and affection for child life, but also with real interest in the future welfare of the State. Its provisions hold out to us hopes for a marked diminution of crime in the future. This part of the Bill completes the work which was begun by the Probation of Offenders Act, and it paves the way for that other measure which the Government have in view for substituting reformatory methods for punitive ones in our police Court system. Without the clauses contained in Part V. of this Bill, that other measure would be of very little use.

The penal reformer, the man who believes it is possible to turn a criminal into an honest and useful citizen, is always having the habitual criminal thrown in his teeth. Cases are brought up where a man or woman, after a long life of crime and imprisonment, is charged again with some ghastly offence or some crime of brutal violence. Such a man or woman is held up, and we are asked "What are you going to do with a person like that? Do you imagine that by reformatory methods you are going to turn such a person into an honest citizen?" In such cases it is too late to do anything at all. It is impossible to do anything with the man or woman upon whom habit and circumstances have already laid their mark beyond all control. The only answer you can return is this: "If you had brought me that person when a boy or girl, if you had kept him or her from contamination with the criminal class, then it is possible that person never would have developed into the criminal that you bring up before me now."

It is because, by the provisions of Part V., the Government do seem to be going for once at the very root of this important matter, that I offer them my most fervent and devout gratitude for the introduction of this Bill; and when the day comes, as it must come in time, when they lose the confidence of their present friends and when they are obliged to give place to those who are now their political opponents, I hope that this Bill, at any rate, will be remembered to their credit. I hope that history will record of them that, whatever else may have been their faults, at any rate, they gave us the Children's Charter.

*THE LORD ARCHBISHOP OF CANTERBURY: My Lords, I shall not detain your Lordships for more than a few moments, but I should be sorry, in view of the far-reaching character of this Bill, not to add a note to the chorus to which you have already listened, in grateful recognition of the pains which have been taken in the putting together of this Bill. It has for long been felt among those who are engaged in philanthropic work that there was an immense need for consolidation of the various Acts of Parliament dealing with the subjects of which this Bill treats. A great many of those on whom rests daily the responsibility of carrying on, either individually or in connection with institutions, the sort of work I refer to are not people who are exceedingly expert in finding their way through a mass of often overlapping statutes dealing with these delicate questions, and some of those who have acted in a manner which has brought them within the law have been found afterwards to plead, I think with very great plausibility, as their excuse that it was almost impossible to ascertain on some of those subjects what exactly the existing law was. Therefore the consolidation part of this Bill is certainly not the least valuable feature.

I wish to congratulate the Government also, or whoever is responsible for the actual workmanship of this measure, upon the lucidity of its arrangements. It compares favourably with other measures in regard to the facility with which it is possible to find one's way about it. The measure is, as has been said by more than one speaker to-night, marked by the complete absence of anything that can be twisted into political partisanship. That is curiously evidenced if we look back into the history of these clauses, from which we find that neither party can claim to have anything like a monopoly as to the sources from which the clauses are drawn which are consolidated in this measure. The gradual progress made—and here I join my expression of thankfulness to those which have been already spoken—is an evidence of the development of a quickened sense of responsibility among people at large with regard to these matters.

As one of those who took a somewhat persistent part in the inquiry about twelve years ago with regard to infant life protection which resulted in the Bill of 1897, I am exceedingly glad to see that some of the suggested provisions which we then found to be in advance of public opinion are now accepted by public opinion, and that it is even proposed to extend them. I refer to such matters as the inspection of one-child nursing homes and the extension of the age-limit from five to seven. I believe that all the changes that have been made with regard to the Bill of 1897, for which I was in part responsible, are improvements. With regard to Part II., I want to express, as one of those who have a large responsibility in regard to the management and control of philanthropic homes, my satisfaction that the inspection of these homes is to be made practically universal—not because I have any fear that things will be found to be far amiss, but because the absence of inspection makes people imagine things to be amiss when they are not. I therefore welcome all the provisions for the inspection and control of homes and institutions of that kind.

As to the juvenile smoking clauses, I confess to finding myself in a difficulty. I listened attentively and with a sense of anxious curiosity to what the Lord Chief Justice said on the subject. *Prima facie* my own feeling is that you are running a grave peril of making almost a joke of something that is meant to be on the verge of a legal offence. The danger is that you are thereby lowering the standard of the notion which should be implanted in boys of what is meant by breaking the law. That is where I see a difficulty. A somewhat cynical friend of mine remarked that he would support these clauses because they would add such immense zest to the boy life of London. We can understand that attitude when we learn that a policeman or park-keeper is authorised to seize cigarettes, and then read the proviso that—

> "Such constable, park-keeper, or other person as aforesaid, shall not be authorised to search any person so found smoking."

The amusement to the boy when he finds that he can defy search as soon as he has put the cigarette in his pocket seems to me to be a detail rather suggestive in its character. But when I have stated what seems to me to be the difficulty of the matter, I am confronted by the mass of evidence which was brought before the two Committees who inquired into this subject, and whose opinions cannot lightly be set aside; and I shall be exceedingly anxious, in Committee, to hear what is to be said for this part of the Bill by those who represent those Committees; certainly I do not propose to yield to my primary impulse to, so to speak, laugh those clauses out of court. I am not prepared to do that. I desire them to be carefully discussed.

With regard to reformatories, no one who is familiar with the subject can look at that part of the Bill without feeling how happily it has been dealt with and how admirable the provisions are. I was surprised to hear the noble Earl on the cross benches, Lord Meath, say that this Bill might weaken the sense of parental responsibility. On the contrary, some of the provisions of the Bill throw upon parents a responsibility which was not theirs before. Part V., dealing with juvenile offenders, is also worthy of all praise, and I doubt not that we can trace there the benign influence of the work done by Sir E. Ruggles-Brise for prison reform. That no imprisonment, in the real sense of the word, should be possible for a boy or girl under sixteen is, to my mind, an unmixed gain. The question of juvenile Courts is one to which I was privileged to give a little attention some years ago in the United States, and I am very thankful that the provisions of this Bill follow closely what seemed to me to be the very best parts and to avoid what seemed to me to be the weaker parts of the laws in force in the United States with regard to the conduct of Courts for juvenile offenders. The experiment, as I think the Lord Chief Justice reminded us, has also been made in some of the large towns of England, but it has not yet been made with anything like the effectiveness or on anything like the scale which I hope will be possible when this Bill is passed. There has been forty-five years experience of the working of this provision in the United States, twenty years' experience in Canada, and some experience in South Australia. In all those cases I believe the result to have been unmixed. I can understand that some of the particular points mentioned may not have all the merit and possibility in them which some of their warmer advocates suppose; but, on the whole, the provisions are such as we can cordially welcome, and I rejoice exceedingly to think that before many weeks have passed this Bill will become part of the Statute-book of England.

*LORD ZOUCHE OF HARYNGWORTH: My Lords, I should like to associate myself with everything that has been said in favour of this Bill. At the same time, as other speakers have pointed out, there are many points in the Bill which will require serious consideration before the measure can be regarded as thoroughly satisfactory. I have particularly in mind the provisions relating to the vexed question of juvenile smoking, and it seemed to me that the great point we have to face in dealing with the matter is that it will be extremely difficult to eradicate this practice by mere legislative enactment. Bad habits may be engendered in children by the neglect of parents or by defects in their system of education, which so often overlooks the moral training of the children. If by any chance we could carry into effect a system by which juvenile smoking should be made unfashionable, if through methods of education, through the schools, or through general advice, we could bring that pressure to bear on the children, I think it would be found that this evil would disappear. If, however, you simply enact penal restrictions I am afraid boys will be encouraged to defy the law. But with this, and, perhaps, some other exceptions, I am sure your Lordships will give your cordial support to this great measure, and when it has been improved, as perhaps it may be in some of its details, I trust it will become law and have the success which it deserves.

*THE MARQUESS OF LANSDOWNE: My Lords, I have no idea of detaining the House for more than a moment, and I certainly would not say a word which might mar the chorus of approval with which this Bill has been received. I think the promoters of the Bill and all those who for many years past, like my noble and learned friend Lord Alverstone, have worked in the interests of the protection of children and young people in this country, are to be congratulated upon having been able to take the tide of opinion at the flood and to bring forward a measure going very much further than anything which would have had a chance of being listened to a few years ago.

The Bill, we have been told to-night, is mainly a measure of consolidation. It is a very voluminous measure, and I have no doubt that the noble Lord who introduced it is quite right in giving credit to the draftsmen for having telescoped a great number of provisions and reduced them into a comparatively manageable shape. But the Bill is still a very voluminous document, and it is not very easy to find one's way through it. We are grateful to His Majesty's Government for having published with the Bill a kind of guide book to its intricacies. That was a great assistance to us before the Bill had been altered in the House of Commons, but I am afraid I must add that the references to the provisions are references to the Bill as originally introduced and are consequently extremely perplexing when one endeavours to apply them to the Bill now on the Table.

Apart from consolidation, the Bill is an attempt, I suppose I may so describe it, to tighten up generally the law as it affects children and young people in this country, and, so far as I am able to see, that has been done mainly in a reasonable manner. But at some points there are provisions which go further than that, and which appear to be of an entirely novel character. Those provisions are, however, no doubt in accordance with a widely-prevailing feeling and with a general belief that this question is very closely connected with some of those other most perplexing problems which are now engaging the attention of the public in this country—I mean the problems of pauperism and unemployment. There is, I should say, a general suspicion that poverty and unemployment are very closely connected with the deterioration, I will not say of the whole race of people inhabiting these islands, but of some sections of the people, and that if we are to have healthy and vigorous men and women: able to take their place as citizens of this country, we must see to it that the boys and girls are properly looked after, and are, as far as possible, removed from those deteriorating and contaminating influences which this Bill seeks to get rid of. I say, therefore, that I entirely applaud the general purport of this Bill.

Those of its provisions which treat of the separation of the younger from the older criminals, those which impose penalties upon parents where it is possible to punish the parent instead of the child, those which deal with what we commonly speak of as the practice of baby farming, those which deal with juvenile Courts, and those which deal with infant insurance, amongst others, all seem to me to be most well adapted to the purpose which we have in view.

I will only utter—and I do so in no critical or uncharitable spirit—one word of warning with regard to legislation of this kind. It seems to me that there is always a certain danger of arriving at a point at which excessive interference with the private life of the people may have the effect of alienating their sympathy from the legislation which is proposed. That is particularly the case when, as in this Bill, you create new criminal offences, and when you give new powers to persons and officials who are at present not clothed with those powers. I will say in the next place that I agree with my noble friend on the cross benches when he tells the House that in his view there is some danger that if you go too far in the direction of depriving the parents and the employers of children of their responsibility for the proper treatment of those children that you may diminish their feeling of responsibility, and induce them to do less than they would otherwise do. In the third place, I would point to what seems to me to be also a danger—I mean that of imposing too many new duties, and, above all, too much new expense upon the local authorities who are entrusted with carrying out the provisions of the Bill. I am certainly not going to attempt to review the different clauses of the Bill, but I would say that one illustration of my meaning is to be found in that part of it to which attention has already been called by one or more Peers tonight—that part which deals with the question of juvenile smoking.

The noble Lord who has charge of the Bill told us that it was the hope of His Majesty's Government that those clauses would have a useful effect in forming public opinion with regard to smoking by young people. I am very much afraid that the clauses as they stand may form a kind of public opinion about smoking by young people which is precisely the kind of public opinion you do not want to form. I mean that you may inspire the British youths with the idea that it is a very fine thing indeed to defy the law and to smoke under conditions which enable them to snap their fingers at the constable, or it may not even be a constable, but the person in uniform who is told off for the purpose of catching them when they indulge in a surreptitious smoke. I think it would be very unfortunate that we should encourage legislation which I am afraid will be treated, and has already been to some extent treated, as something very like a huge joke. When, therefore, we arrive at the Committee stage I shall certainly consider with a not unfavourable mind the proposal made by my noble and learned friend behind me that the matter should be reconsidered.

As an example of the tendency to impose new burdens upon local authorities, I would only mention one case. I refer to the suggestion to be found in this Bill that local authorities are to be henceforth expected to provide reformatories, industrial schools, and what are spoken of as places of detention. These may be, I daresay, very useful inventions, but they seem to be rather of the nature of matters which would more properly fall to the charge of those who are responsible for the prisons of this country. I will not say more this evening, but I certainly desire, on the part of those who sit beside me, to express our general approbation of the Bill and our hope that it may pass into law.

THE LORD PRIVY SEAL AND SECRETARY OF STATE FOR THE COLONIES (The Earl of CREWE): My Lords, I am sure that my noble friend behind me, the Lord Steward, and other noble Lords in the House who represent the Government, can feel nothing but deep gratification at the reception which this measure has met with at the hands of the House as a whole. There has been a unanimous and harmonious chorus of approval, all the more welcome to us because we often have occasion to listen to a different kind of music.

This measure has several features to which attention, I think, ought to be drawn. In the first place, it is a universal Bill dealing with England, Scotland, and Ireland. It is universal in another sense, in the sense that it endeavours to cover the whole ground, so far as it can be covered at one time in agreement with public opinion, on the subject relating to children and young persons. The most rev. Primate and other noble Lords have complimented the authors of the Bill. I think the man to whom the greatest credit of all is due is my hon. friend Mr. Samuel, the Under-Secretary for the Home Department. He has been responsible all through for the conduct of this Bill and in considerable measure for its shape, and I am certain that your Lordships will agree with me that to him the highest possible credit is due.

But it is also undoubtedly the fact that various societies and public bodies have played a very considerable part in the arrival of the state of things which has made the introduction of this Bill possible. Lord Lytton mentioned two societies—the Society for the Prevention of Cruelty to Children, of which, in my opinion, it is impossible to speak too highly, and a body called the State Children's Association, over which I at one time presided in succession to my noble friends Lord Peel and Lord Grey, and with which Lord Burghclere, and, I believe, Lord Lytton, have since been connected. In the time of the late Government, and since, those societies have pressed upon the Department concerned the need of legislation such as that contained in Part V. of the Bill. This Bill, as has been said, consolidates a number of old provisions. That has been necessary, not only on the ground which I think was mentioned by the most rev. Primate, that it is most helpful to those who administer the law and also to those who have to obey the law to know exactly what the law is, but also because it has been found in practice that various means and methods are discovered by ingenious and ill-disposed people for evading the provisions of the law, and it is hoped that the Bill will meet any such evasions.

At the same time there are provisions which are new, and which I should be the last to say are otherwise than far reaching. One part of the Bill which has received something like serious criticism is Part III., which deals with the subject of juvenile smoking; and the noble and learned Lord the Lord Chief Justice made the first complaint that it seemed to him that these provisions were not relevant to the Bill as a whole. I rather think that that can hardly be maintained. This Bill, as has been said, is very much in the nature of an omnibus Bill. You cannot establish any very real relation between such clauses in the Bill as those which oblige parents to take precautions against their children being set on fire, and, on the other hand, clauses dealing with the provision of industrial schools and the clause which says that children and young persons are not to be condemned to death, except the general connection that they are all in different ways provisions for the protection of young children. That is exactly what may be said of Part III.

For some reason or other a somewhat facetious turn has been given in another place to the discussion of this particular part of the subject, which caused delay in the arrival of the Bill in your Lordships' House, and the most rev. Primate drew attention to one provision which he said might be treated in a jocular spirit. But, my Lords, the matter itself is not at all a jocular one. It is an exceedingly serious one. It has been regarded by that very important Committee on Physical Deterioration, and also by the Committee of your Lordships' House, which sat on the subject itself, as one of the first importance. And why not? By common agreement legislation is passed for preventing children and young persons from having access to one particular kind of drug—alcohol. The effect of these provisions is to prevent them having access to another deleterious drug, to them at any rate—nicotine; and it seems to me that the arguments which you apply to the one kind of prevention might, with equal force, be applied to the other.

I do not want to speak in support of these particular clauses now, but merely to say this. If one speaks lightly of juvenile smoking, I should like to ask what would be the opinion of those noble Lords in this House who have sons at public schools, if the rule against smoking at Eton and Harrow, for instance, were relaxed, and smoking became the custom there. I am perfectly certain that it would lead to the strongest protests on the part of the parents; and some attempt, therefore, to make what is an invariable rule in the case of the children of better-to-do parents, apply in the case of children of poorer parents, seems to me at any rate worthy of the sympathy of your Lordships' House. I sincerely hope that, even though the clauses may be closely examined, and if your Lordships' please, subjected to some Amendment, there will be no attempt to strike them out of the Bill altogether. It is perfectly clear that the only result of that would be that, having already passed another place, there would be no chance of this particular legislation being there considered again at present, and the effect would be that what I regard as this very useful provision would be lost, at any rate for the time being, and possibly for some considerable time.

The noble Earl on the cross benches spoke of the risk that parential responsibility might be in some way weakened. He did not, however, call attention to any clause in the Bill by which that unfortunate result might be expected to occur, and, as the most rev. Primate pointed out, there are clauses in the Bill which draw attention, and very real attention, to the responsibility of parents. Such clauses as Clauses 98 and 99, one of which renders a parent liable to be fined for his child's offence, may be right or may be wrong, but nobody can say that they tend to decrease the responsibilities of parents. On the contrary, they increase them in a way which the parent might at times find exceedingly inconvenient. Then the noble Marquess, Lord Lansdowne, made another caution. He drew attention to the dangers which, in his opinion, might arise from over inspection. What I feel about inspection, speaking generally, is that you cannot have it both ways. It is perfectly true that the Englishman is, speaking generally, greatly averse to being inspected. His house is his castle, and he particularly dislikes the interference of any Government or other officer with his private arrangements. We are continually told that this or that social object is very much better carried out in France and even more so in Germany than it is in this country. If you look into the details of those matters, you will find that those results abroad are almost always brought about by some close system of Government supervision and inspection, and, therefore, if you are to have the one you must be prepared to undergo the other.

The only moral, I think, that is to be drawn is—and so far I am in complete agreement with the noble Marquess—that it is possible to go too fast in these matters; it is no good going ahead of public opinion, and I do not think this measure does so. I think the particular method of inspection provided for by this Bill is one which all right-thinking parents of the classes who are likely to be affected by it will sincerely welcome, and if the wrong-thinking ones do not welcome it I do not think we need trouble ourselves greatly about that. I do not know that there are any further points of the Bill to which I need draw attention. We do expect very good results indeed from the provisions relating to the trial of juvenile offenders and to the subsequent system of detention. It is true, as has been pointed out, that this is no new matter. The system of children's Courts has been carried out in some of our own Colonies and in the United States, by common consent, with unvarying success for a great number of years past, and so far as attempts have been made to introduce the system into this country the first successful effort, if I remember rightly, was at Birmingham. There an equal measure of success seems to have been attained; and in order to carry out the provisions of the Probation of Offenders Act of last year it is obviously necessary that these remaining bricks, so to speak, should be put into the edifice if juvenile offenders are to be treated as we desire to have them treated. I have nothing more to say, but merely once more to thank your Lordships, on the part of the Government, for the very cordial reception and very fair criticism which this measure has received.

On Question, Bill read 2ª, and committed to a Committee of the Whole House on Wednesday next.

LAW OF DISTRESS AMENDMENT BILL.

Order of the Day read for the House being put into Committee (on recommitment).

Moved, That the House resolve itself into Committee.—(*Lord Courtney of Penwith.*)

On Question, Motion agreed to.

House in Committee accordingly.

[The EARL of ONSLOW in the Chair.]

Clause 1:—

The **EARL of HALSBURY** had a series of Amendments on the Paper to Clause 1. Clause 1 ran—

"1. If any superior landlord shall levy, or authorise to be levied, a distress on any furniture, goods, or chattels of any under tenant, lodger, or other person not being the immediate tenant of such superior landlord for arrears of rent due to such superior landlord by his immediate tenant, such under tenant, lodger, or other person not being the immediate tenant of such superior landlord may serve such superior landlord, or the bailiff or other person employed by him to levy such distress, with a declaration in writing made by such under tenant, lodger, or other person, not being the immediate tenant of such superior landlord, setting forth that such immediate tenant has no right of property or beneficial interest in the furniture, goods, or chattels so distrained or threatened to be distrained upon, and that such furniture, goods, or chattels are the property or in the lawful possession of such under tenant, lodger, or other person not being the immediate tenant of such superior landlord; and also, in the case of an under tenant or lodger, setting forth the amount of rent (if any) then due to his immediate landlord, and the times at which future instalments of rent will become due, and the amount thereof, and containing an undertaking to pay the superior landlord any rent so due or to become due to his immediate landlord, until the arrears of rent in respect of which the distress was levied or authorised to be levied have been paid off, and to such declaration shall be annexed a correct inventory, subscribed by the under tenant, lodger, or other person not being the immediate tenant of such superior landlord, of the furniture, goods, and chattels referred to in the declaration; and if any under tenant, lodger, or other person not being the immediate tenant of such superior landlord, shall make or subscribe such declaration and inventory knowing the same or either of them to be untrue in any material particular, he shall be deemed guilty of misdemeanour."

The noble and learned Earl's first Amendment was to leave out, at the beginning of the clause the words "any under-tenant, lodger, or other person not being the immediate tenant of such superior landlord" and to insert (*a*) any under-tenant liable to pay by equal instalments not less often than every actual or customary quarter of a year a rent which would return in any whole year the full annual value of the premises or of such part thereof as is comprised in the under-tenancy, or (*b*) any lodger, or (*c*) any other person whatsoever not being a tenant of the premises or of any part thereof, and not having any beneficial interest in any lease, under-lease, or tenancy of the premises or of any part thereof." The Bill, he said, owed its origin to the complaint of a particular club and to artistic property not being within the exemptions of the law of distress. Sentimental comments were made upon the hardships of a law that had for two centuries been found adequate for giving security to the owner, and facilities for letting premises. There was not only the question of a supposed tyrannical castle-owning landlord, there was the position of poor people whose only possession was a little house used for letting. The law was intelligible when properly administered, and this was a sentimental attempt to provide for every case. But suppose a tenant, instead of reserving a proper rent to which the landlord would be entitled under the Bill, took a lump sum down and reserved merely a peppercorn rent for the owner, justice would not be satisfied. He proposed by his definition that persons to whom the Bill should apply should be those who had reserved a proper rent.

Amendment moved—

"In page 1, line 6, to leave out the words, 'any under-tenant, lodger, or other person not being the immediate tenant of such superior landlord,' and to insert the words '(*a*) any under-tenant liable to pay by equal instalments not less often than every actual or customary quarter of a year a rent which would return in any whole year the full annual value of the premises or of such part thereof as is comprised in the under-tenancy, or (*b*) any lodger, or (*c*) any other person whatsoever not being a tenant of the premises or of any part thereof, and not having any beneficial interest in any lease, under-lease, or tenancy of the premises or of any part thereof.'"—(*The Earl of Halsbury.*)

LORD COURTNEY OF PENWITH, in opposing the Amendment, said the promoters of the Bill desired to protect the goods of an under-tenant from being seized for rent due by the immediate tenant, but with the proviso that the under-tenant should, after the situation was made known to him, pay the rent reserved on the tenancy to the superior landlord. The noble and learned Earl wished this provision to be limited to those cases in which the rent reserved and to be paid by the under-tenant was of the full value of the premises. He submitted that the case imagined by the noble and learned Earl was one of a most extraordinary and almost inconceivable character. Could they conceive the case of a man who took premises as an under-tenant paying the immediate tenant a lump sum for his interest, and contracting to pay a peppercorn rent afterwards? The right of the superior landlord to re-entry was not affected by the Bill, and this should be sufficient for the protection of his interest. If, however, that power was not, on full consideration, deemed sufficient, he was prepared to strengthen that right by acceptance of an Amendment of which Lord Avebury had given notice to Clause 4, by which the tenant in possession would have to clear out in twenty-eight days. He suggested that the noble and learned Earl might be content to let the Bill go through Committee now, with the acceptance of Lord Avebury's Amendment, and then if that did not satisfy his anxiety, Lord Halsbury might put down his Amendment again on Report. But if the matter was to be decided that afternoon, he submitted that the power of re-entry was enough to protect the superior landlord from any injustice.

THE EARL OF HALSBURY said he had never heard a more cynical proposal. The landlord was not to get his rent, but would have power to re-enter. No doubt the landlord would be very much obliged, but he would rather get his rent. As to the statement that the case he had supposed would never occur, he thought that people nowadays were not slow to discover the possibility of making arrangements of this sort if the law allowed them to do so. With regard to the remedy of re-entry, was the noble Lord sure that the Courts of law worked quite so harmoniously as he suggested, and that there was no difficulty in getting repossession? In many cases persons had been compelled to agree to very ruinous terms in order to get rid of undesirable tenants. He adhered to his Amendment and declined to postpone it.

THE LORD CHANCELLOR (Lord LOREBURN) said his view was entirely against the Amendment. The principle on which he had supported this Bill was that they had no right to rob Peter to pay Paul—to take the money of one man in order to pay debts due by another. That, at all events, was a doctrine which had the merit of simplicity, and he was not sure that it did not commend itself to natural justice. According to the noble and learned Earl's Amendment this could take place: A man might let a tenement to another person and that other person might take a premium from an under-tenant and then accept a rent not equal to the real annual value. For instance, the superior landlord might let a house at £50 a year to a person who might sublet it to another at £40.

In that case, if the landlord did not get the rent from the person with whom he had made the bargain, he would be entitled, under Lord Halsbury's Amendment, to take the furniture of the sub-tenant.

THE EARL OF HALSBURY said that was the law as it stood, and it was 200 years old.

THE LORD CHANCELLOR said it might be the law as it stood, but it was not the law as it should be ; for, although it was two centuries old, it was a bad law. It was because this ought not to be the law that the Bill had been brought in. He knew perfectly well that the noble and learned Earl could command a majority in their Lordships' House, and, as the Amendment was to be persisted in, he was afraid the prospects of the Bill did not look as bright as they had done.

LORD ASHBOURNE supported the Amendment, and said the protection to the superior landlord in the Bill might prove entirely illusory. The under-tenant might conceivably come to an agreement on going in that he would pay a substantial sum down and a trivial rent afterwards. But that was by no means an exhaustive statement of the way in which the superior landlord might find himself absolutely without remedy if no substantial safeguard, such as that suggested by Lord Halsbury, were introduced.

*LORD COURTNEY OF PENWITH, referring to Lord Halsbury's statement that the Amendment was moved equally in the interest of small people whose only possession was a little house used for letting, said that a deputation from a society of small house-owners in North-East London, the very class on whose behalf the noble and learned Earl had pleaded, waited upon him and stated that they had looked through the Bill and were entirely satisfied with it as it stood.

On Question, "That the words proposed to be left out stand part of the clause."

Their Lordships divided :—Contents, 18 ; Not-Contents, 57.

CONTENTS.

Loreburn, L. (*L. Chancellor.*)

Crewe, E. (*L. Privy Seal.*)

Beauchamp, E. (*L. Steward.*)
Carrington, E.

Althorp, V. (*L. Chamberlain*)

Peterborough, L. Bp.

Allendale, L.
Armitstead, L.
Colebrooke, L.
Courtney of Penwith, L. [*Teller.*]
Fitzmaurice, L.

Glantawe, L. [*Teller.*]
Herschell, L.
Lyveden, L.
Marchamley, L.
O'Hagan, L.
Saye and Sele, L.
Shuttleworth, L.

NOT-CONTENTS.

Norfolk, D. (*E. Marshal.*)
Northumberland, D.
Rutland, D.

Ailesbury, M.
Bath, M.
Lansdowne, M.
Salisbury, M.

Camperdown, E.
Cawdor, E.
Cromer, E.
Dartrey, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*)
Fortescue, E.
Halsbury, E.
Lichfield, E.
Londesborough, E.
Lytton, E.
Onslow, E.
Pembroke and Montgomery, E.

Russell, E.
Waldegrave, E. [*Teller.*]
Westmeath, E.
Wicklow, E.

Churchill, V. [*Teller.*]
Falkland, V.
Goschen, V.
Hood, V.
Hutchinson, V. (*E. Donoughmore.*)

Alverstone, L.
Ardilaun, L.
Ashbourne, L.
Atkinson, L.
Avebury, L.
Belhaven and Stenton, L.
Brodrick, L. (*V. Midleton.*)
Cheylesmore, L.
Clifford of Chudleigh, L.
Clonbrock, L.

Dunboyne, L.
Hindlip, L.
Inchiquin, L.
Kenmare, L. (*E. Kenmare.*)
Kenry, L. (*E. Dunraven and Mount-Earl.*)
Kilmarnock, L. (*E. Erroll.*)
Lamington, L.
Lawrence, L.
Leigh, L.
Macnaghten, L.
Oranmore and Browne, L.
Sanderson, L.
Shute, L. (*V. Barrington.*)
Silchester, L. (*E. Longford.*)
Somerhill, L. (*M. Clanricarde.*)
Stalbridge, L.
Stewart of Garlies, L. (*E. Galloway.*)
Waleran, L.
Zouche of Haryngworth, L.

LORD COURTNEY OF PENWITH said that, as Lord Halsbury's Amendment had been agreed to, it was a matter to be considered whether it was worth while proceeding further with the Bill. In the meantime he moved that the House do resume.

House resumed.

House adjourned at a quarter before Seven o'clock, till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS.

Wednesday, 28th October, 1908.

The House met at a quarter before Three of the Clock.

PETITIONS.

LICENSING BILL.

Petition from Milborne Port, against; to lie upon the Table.

Petition from Peterborough, for alteration; to lie upon the Table.

Petitions in favour: From Aberdare; and Durham; to lie upon the Table.

MOTOR CAR ACT, 1903.

Petition from Argyll, for alteration of Law; to lie upon the Table.

POOR LAW AMENDMENT (SCOTLAND) BILL.

Petition from Selkirk, in favour; to lie upon the Table.

SUMMARY JURISDICTION (SCOTLAND) BILL.

Petitions in favour: From Partick; and Royal Burghs of Scotland; to lie upon the Table.

WOMEN'S ENFRANCHISEMENT BILL.

Petitions in favour: From Chirnside; Wallasey; and Worthing; to lie upon the Table.

RETURNS, REPORTS, ETC.

POST OFFICE (LIFE INSURANCE).

Return presented, relative thereto [ordered 26th October; *Mr. Sydney Buxton*]; to lie upon the Table, and to be printed. [No. 311.]

POST OFFICE (FOREIGN AND COLONIAL POST).

Copy presented, of the Foreign and Colonial Post (Cash on Delivery) Amendment (No. 4) Warrant, 1908. Dated 30th September, 1908 [by Act]; to lie upon the Table.

MERCHANT SHIPPING.

Copy presented, of Further Correspondence with Canada, Australia, and New Zealand relating to Merchant Shipping Legislation [by Command]; to lie upon the Table.

TRADE REPORTS (ANNUAL SERIES).

Copy presented, of Diplomatic and Consular Reports, Annual Series, No. 4156 [by Command]; to lie upon the Table.

BOARD OF EDUCATION.

Copy presented, of List of Secondary Schools in England recognised as efficient, with a List of recognised Pupil-Teacher Centres, 1907–1908 [by Command]; to lie upon the Table.

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Persons Prosecuted for Riot and Unlawful Assembly in Ireland.

MR. STAVELEY-HILL (Staffordshire, Kingswinford): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he will state the number of persons bound over under the Act of Edw. III. in respect of riot and unlawful assembly, and the number committed to prison in default of finding sureties for their good behaviour, in each of the two years ended 30th September, 1908.

(*Answered by Mr. Birrell.*) The police authorities are unable, without local inquiries throughout Ireland, to state the number of persons bound over in connection with all charges of riot and unlawful assembly. The following, however, are the figures as regards proceedings against persons in connection with cattle-driving, or the replacing of cattle upon farms from which they have been driven: in the year ended 30th September, 1907, three persons were bound to keep the peace and forty-two were committed to prison in default of bail; in the year ended 30th December, 1908, 1,026 persons were bound to keep the peace, and 114 were committed to prison in default.

Patents Act—New Industries.

MR. SLOAN (Belfast, S.): To ask the President of the Board of Trade if he can state the number of towns in the United Kingdom where new industries have been established as a result of the recent Patents Acts.

(*Answered by Mr. Churchill.*) No, Sir, I have no exact information on the subject.

Applications for Small Holdings.

MR. R. HARCOURT (Montrose Burghs): To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, if he will state in what counties, if any, in England and Wales, where applications for land have been made under the Small Holdings Act, no land has been acquired, specifying in any such cases the acreage applied for.

(*Answered by Sir Edward Strachey.*) The information for which my hon. friend asks is as follows:—

Small Holdings and Allotments Acts, 1907.

Counties in England and Wales where land has not yet been acquired, with the acreage of land applied for in the county.

County.	Area applied for. Acres.
Cumberland	1,236
Derby	2,237
Devon	7,100
Hereford	6,256
Lancashire	2,696
Leicester	5,858
London	306
Middlesex	1,700
Monmouth	5,736
Northumberland	10,000
Nottingham	3,719
Stafford	3,316
Suffolk, West	3,444
Surrey	2,560
Sussex, East	2,986
Do. West	2,126
Warwick	4,240
York, North Riding	5,261
Do. West Riding	4,436
Wales—	
Brecon	3,343
Cardigan	1,150
Carnarvon	764
Denbigh	1,862
Flint	2,000
Glamorgan	5,898
Merioneth	350
Pembroke	1,900

I may add that, although no land has been actually acquired by these counties, we have been informed that schemes will shortly be submitted by six of them, and that most of them have under consideration the acquisition of definite areas of land.

Potato Disease—Shropshire, Staffordshire, and Cheshire.

MR. STANIER (Shropshire, Newport) To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, how many cases of black scab in potatoes have been reported in gardens and field crops in Shropshire, Staffordshire, and Cheshire respectively; and whether the Board are carrying out any experiments in order to prevent the disease spreading.

(*Answered by Sir Edward Strachey.*) The number of outbreaks of warty disease in potatoes which have been reported and confirmed are as follows—

County.	Outbreaks.	Gardens.	Fields.	Uncertain.
Cheshire - - -	62	37	22	3
Shropshire - - -	65	61	2	2
Staffordshire - - -	62	55	4	3

Inquiry into those cases to which reference is made as "uncertain" is being made by the Board's inspectors. Experiments as to the use of remedial measures for the prevention of the spread of the disease will be made next spring.

Irish Land Purchase—Applications for Loans.

MR. DILLON (Mayo, E.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state for each half-year from November, 1903, to May, 1908, and for the period from May, 1908, to 30th September, 1908, the number of agreements and applications for loans which have reached the Estates Commissioners, the area covered by these applications, and the amount of money applied for.

(*Answered by Mr. Birrell.*) The Estates Commissioners have furnished me with the following statement, which gives the particulars asked for in respect of estates sold by landlords direct to tenants under the Act of 1903—

Period.	Number of purchase agreements lodged.	Amount of loans applied for.	Area (approximate).
		£	
Half-year ending 30th April, 1904 -	6,817	3,179,405	5,397,459
„ 31st October, 1904 -	10,430	4,658,492	
„ 30th April, 1905 -	29,394	10,844,151	
„ 31st October, 1905 -	24,730	8,625,535	
„ 30th April, 1906 -	17,537	6,191,578	
, 31st October, 1906 -	15,514	4,972,555	
30th April, 1907 -	10,693	4,036,926	
„ 31st October, 1907 -	18,573	6,041,644	
„ 30th April, 1908 -	10,483	3,811,936	
Five months ending 30th September, 1908 - - - - - -	22,727	6,970,422	
	166,898	59,332,644	

It would not be possible, without a great expenditure of time and labour, to give the approximate area of the holdings comprised in the agreements lodged for each half-year, but a total approximate area is given for the entire period.

Wrongly Transmitted Telegrams.

Mr. JAMES PARKER (Halifax): To ask the Postmaster-General whether inquiries have been or are being made relative to the possibility of making regulations having the effect of holding telegraphists responsible for loss to the sender or recipient of a telegram wrongly transmitted; and whether he can state if the officials of the trade union representing telegraphists have been asked for an expression of opinion or have been put in possession of circulars addressed to surveyers to this effect.

(*Answered by Mr. Sydney Buxton.*) I have made no such inquiries, and I know nothing of any circulars to surveyors on the subject.

Extension of Belfast Post Office.

Mr. SLOAN: To ask the Postmaster-General what steps are being taken to utilise the building ground acquired some time ago for the purpose of providing proper accommodation for the work of the Belfast Post Office.

(*Answered by Mr. Sydney Buxton.*) The complete plans of the proposed extension of the head Post Office at Belfast are promised by the Board of Public Works in the course of the next few days.

Fines in Belfast Post Office.

Mr. SLOAN: To ask the Postmaster-General whether he is aware that in the case of finable letter and parcel mail irregularities in the Belfast Post Office fines are invariably inflicted; whether the postmaster has his authority for issuing instructions that this rule should be enforced without exception; and whether these irregularities may be punished other than by the payment of a fine.

(*Answered by Mr. Sydney Buxton.*) Fines for certain irregularities are imposed at Belfast and other offices in accordance with schedules issued from head-quarters and applied uniformly. I have no reason to think that the postmaster of Belfast enforces the rule in an unreasonable manner. The general question of the system of punishment for these irregularities is under consideration.

Belfast Parcel Post Business.

Mr. SLOAN: To ask the Postmaster-General whether he is aware that parcel post business in Belfast is being at present transacted in an old disused mill, the walls of which fell some years ago, that the premises are in an unsanitary condition and unprovided with lavatory accommodation, and are a menace to the health of the staff employed therein; and whether this arrangement was made with the approval of the medical officer.

(*Answered by Mr. Sydney Buxton.*) Owing to the breakdown of a hoist in the parcel sorting office at the head Post Office at Belfast, it became necessary on the 21st instant to conduct parcel sorting work in a portion of some premises known as Smithfield Mill, which are hired for storage and serve also for sorting purposes at Christmas time. It is expected that the hoist will be repaired, and the work retransferred to its proper quarters, at the end of this week. Although the lavatory accommodation in these emergency premises is perhaps hardly adequate, there is no evidence that the place is insanitary.

Rural Postmen—Time Allowed for Rounds.

Mr. SWIFT MACNEILL (Donegal, S.): To ask the Postmaster-General what is the time allowed a cycling rural postman for the performance of a journey of twenty-four miles, and is the whole journey to be performed without rest; whether in these journeys more time is allowed for the collection than for the delivery of letters; and, if not, whether the propriety of allowing additional time for the collection of letters will be taken into consideration, having regard to the delay entailed by the sale of stamps, the registering of postal packets, and the other duties incidental to the collection of letters under such circumstances.

(*Answered by Mr. Sydney Buxton.*) In fixing the time table for the journey of a cycling rural postman allowance is made for the weight of the load, the nature of the road, and other circumstances. If the hon. Member has any particular case in view in which he thinks the time allowed is insufficient I shall be glad to make inquiry regarding it. Rural posts are laid out in a great variety of ways to meet the special circumstances of each neighbourhood, and every allowance is made for the varying incidents of the journey.

The Railway Conference.

SIR FRANCIS CHANNING (Northamptonshire, E.): To ask the President of the Board of Trade if he will state the names of the present Members of the committee of inquiry into matters relating to railways which was nominated by the right hon. Gentleman the Member for the Carnarvon District in February, 1907, and the names of the members, and the functions of each of the sub-committees appointed by that body; when he anticipates that the labours of the committee are likely to be brought to a conclusion; and whether the recommendations and reports of the general committee and of the sub-committees will be presented to Parliament.

(*Answered by Mr. Churchill.*) I cannot yet give my hon. friend any information with regard to the nature and date of any reports of the Railway Conference beyond that contained in my reply to his Question of 18th May. I shall be happy to send him a list of the present Members of the Conference and of its various sub-committees. The Conference, as I have previously explained, is not bound down by any rigid terms of reference.

Inspection of Funicular and Cliff Railways.

MR. GIBBS (Bristol, W.): To ask the President of the Board of Trade if he will take into consideration the advisability of having all funicular and cliff railways inspected, for the better security of the public.

(*Answered by Mr. Churchill.*) When such railways are constructed under statutory authority they will, in the ordinary course, be inspected by an officer of the Board of Trade before being opened for passenger traffic. Where, however, promoters choose to make and open a railway without obtaining such authority, the law as it stands at present confers no power and imposes no responsibility on the Board of Trade for the safety of the line, which must rest entirely with the promoters.

Treatment of Imprisoned Suffragists.

MR. SWIFT MACNEILL: To ask the Secretary of State for the Home Department whether the ladies now undergoing terms of imprisonment for offences arising out of the suffragist agitation have been compelled to divest themselves of all their clothing in the presence of one wardress, and in some cases of several wardresses, and to put on a single cotton garment reaching to the knees, and in this garment barefooted to cross a room to a desk and stand there while the wardress searches them and enters particulars in a book; and, if so, whether, regard being had to the fact that no imputation has been made on the motives of these ladies, and that their conduct admittedly attaches to them no moral stigma, why has there not been a remission in their cases of this condition of their imprisonment, which is imposed in the cases of ordinary prisoners for sanitary reasons.

(*Answered by Mr. Secretary Gladstone.*) In the case of the three ladies committed last Saturday the usual pactice was modified by the Governor, who allowed them to change their clothing in a locked reception cell, no officer being present. I will consider whether the method of searching can be altered in the case of other female prisoners of the second division.

Deaths from Starvation.

MR. SUMMERBELL (Sunderland): To ask the Secretary of State for the Home Department whether his attention has been called to the recent death from starvation or privation of a Preston man; and whether he will cause an annual Return to be made of deaths in the provinces upon which a coroner's jury has returned a verdict of death from starvation, or death accelerated by privation, similar to that which is now made for London.

(*Answered by Mr. Secretary Gladstone.*) No, Sir. I have no information as to the case in question, but I will see whether I can collect the figures for this year, and will consider whether an annual Return could be given with advantage.

MR. SUMMERBELL: To ask the President of the Local Government Board whether Charlotte Stokes, a widow, on whose behalf applications for relief were made to the relieving officer of Shoreditch on several occasions, beginning 5th February, 1907, and whose death from disease and starvation or destitution took place in the following October, was adequately relieved by the guardians of the poor of Shoreditch; whether, under the present laws relating to relief of poor, they might have given her medical attendance and sufficient food, and other necessaries of life, and, if needed, money for rent, as soon as she began to be ill; and, if so, will he inquire why the guardians did not give her necessary relief under 43 Eliz., c. 2, s. 1, and 4 and 5 Will. IV., c. 76.

(*Answered by Mr. John Burns.*) The relieving officer visited Mrs. Stokes on each occasion when application was made on her behalf for relief in February and March, 1907, and asked her to see the guardians, but no one attended. In April she herself applied to the relieving officer for relief, which was given to her. On 21st October she again applied for and received relief. The relieving officer visited the case the same day, but was informed she was out. It does not appear when she became ill, or that the attention of the relieving officer was called to her being so until 25th October, when he at once visited the home and found that she had just been removed to the infirmary. It would have been competent for the guardians to have given her all the relief mentioned in the Question when she became ill if the matter had been brought to their knowledge, but I do not understand that this was the case.

MR. SUMMERBELL: To ask the President of the Local Government Board whether his attention has been called to the case of Julia Rothery, a widow, who died in Shoreditch, a few days ago from chronic kidney disease accelerated by poverty and neglect, without having applied for relief; will he say how many deaths declared by verdict of a coroner's jury to have resulted from starvation or to have been accelerated by privation have occurred in Shoreditch Union during the present year; whether he will suggest to the authorities of the Shoreditch Union, and of the borough council, and of the police in that district, that notices should be put up in their offices to which the public have access to the effect that poor persons who are ill and cannot pay for a doctor should apply to the relieving officers for medical relief; and will he suggest that such notices should contain the names and addresses of the relieving officers, and also a warning to parents of the penalties they may incur by neglecting to apply for a doctor in case of serious illness of a child.

(*Answered by Mr. John Burns.*) I understand that application was made for the admission of Mrs. Rothery to the infirmary on 19th September, that she was forthwith admitted, and died there on the 19th instant. I am informed that there have been no deaths from starvation in Shoreditch during the present year, but that there have been three cases in which the coroner's jury have found that death was accelerated by privation. As I recently informed my hon. friend, there appears to be no reason to suppose that the poor are unaware of the facilities for obtaining medical or other relief, and I do not think that I could undertake to recommend to the authorities mentioned in the last part of the Question the adoption of the course there suggested.

Employment of Extra Men at Dockyards.

MR. W. T. WILSON (Lancashire, Westhoughton): To ask the First Lord of the Admiralty whether, when engaging the extra men for doing repair work in connection with the Royal dockyards, buildings, etc., preference will be given to workmen who have previously worked in the yards and to unemployed workmen who are *bona fide* residents in the town where the work is.

(*Answered by Mr. McKenna.*) Orders to this effect have already been given.

Old-Age Pensions—Welsh-Speaking Applicants.

MR. REES (Montgomery Boroughs): To ask Mr. Chancellor of the Exchequer what arrangements will be made to insure that applicants for old-age pensions, who cannot speak English, shall be able to present their cases to an official who can understand Welsh.

(*Answered by Mr. Lloyd-George*). I may perhaps be allowed to refer my hon. friend to my reply on the 21st instant to a similar Question by my hon. friend the Member for Merthyr Tydvil, in which I indicated the arrangements which have been made to meet the case of monoglot Welsh-speaking applicants for old-age pensions.

Income-Tax Repayment Claims.

CAPTAIN CRAIG (Down, E.): To ask Mr. Chancellor of the Exchequer whether instructions have been issued to delay the refunding of income-tax to those entitled to a refund, or if the delay in doing so is occasioned by overwork in the Department of Inland Revenue.

(*Answered by Mr. Lloyd-George.*) The reason for the apparent delay in the settlement of income-tax repayment claims is to be found in the uneven distribution of the work over the year. The great majority of the claims are received in the spring and early summer months, and the present system of dealing gradually with the applications in the order in which they are received is the only alternative to the employment of a staff so large that profitable work could not be found for it during the autumn and winter.

Old-Age Pensions and Out-Door Relief.

MR. J. MACVEAGH (Down, S.): To ask Mr. Chancellor of the Exchequer whether he is aware that in Ireland the outdoor relief report book sets out not only the name of the person applying for relief but also the names of all the family; and whether it will be made clear to pension officers that no person will be disqualified for old-age pensions except the person actually receiving outdoor relief.

(*Answered by Mr. Lloyd-George.*) Every care will be taken that the precise facts of each case are brought to the notice of the pension Committee; but the question whether the facts in any particular case are such as to create a disqualification is not one for the pension officer, but for the committee to decide subject to appeal to the Local Government Board.

Old-Age Pensions—Age Certification in Ireland.

MR. J. MACVEAGH: To ask Mr. Chancellor of the Exchequer whether arrangements will be made to have the Census Returns in Ireland for 1841 searched by an official specially commissioned for that duty, and thus save to applicants for old-age pensions the expense of obtaining certified copies of the Returns.

(*Answered by Mr. Lloyd-George.*) Such arrangements have already been made.

Irish Evicted Tenants—Case of Mr. J. F. McQuade.

MR. SLOAN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners had taken any steps to enforce the provisions of the Evicted Tenants (Ireland) Act, 1907, for the purpose of restoring Mr. John F. McQuade to the holding from which he was formerly evicted in the townland of Drumkirk, on the Irvine estate, County Fermanagh; and, if not, what is the cause of delay on the part of the Commissioners in acquiring this holding, seeing that it has been under their consideration for over three years, and the present tenant has offered to accept the compensation offered him by the Commissioners.

(*Answered by Mr. Birrell.*) The Estates Commissioners have not taken any steps to acquire compulsorily under the Evicted Tenants Act the holding referred to, nor having regard to the inquiries which they have made do they propose to do so.

Banbridge Rural Council and the Water Supply.

MR. J. MACVEAGH: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to the resolution of the Banbridge, County Down, Rural District Council, protesting against the present existing law relating to water supplies, and calling upon the Government so to alter the law as to empower the sanitary authorities to compel the owners of house property to supply their tenants with a sufficient quantity of pure water, the cost of same to be defrayed by the owner of the property; and whether the matter will receive the attention of the Government.

(*Answered by Mr. Birrell.*) My attention has been called to the resolution in question. The existing provisions of the law will be found in Section 72 of the Public Health (Ireland) Act, 1878, but this section would appear to apply only when a supply of water is obtainable from a public source. The question whether it would be desirable to extend these provisions will be considered when any amendment of the existing laws as to public health in Ireland is contemplated.

QUESTIONS IN THE HOUSE.

Official Secrets.

MR. STAVELEY-HILL (Staffordshire, Kingswinford): I beg to ask the First Lord of the Admiralty whether temporary draughtsmen and accountant clerks in the Admiralty Director of Works Department are permitted to deal with confidential plans and documents relating to the defence of naval posts; and, if so, whether he intends to take any action in the matter.

THE FIRST LORD OF THE ADMIRALTY (Mr. MCKENNA, Monmouthshire, N.): No, Sir.

Cardiff Pilotage Dues.

MR. BRACE (Glamorganshire, S.): I beg to ask the First Lord of the Admiralty whether his attention has been called to the fact that Mr. J. L. Harvey, Cardiff, was engaged to pilot the steamer "Mercedes," owned by the Government, into Penarth dry dock on 22nd and 23rd August, and that although the pilotage dues, according to the bye-laws of the Cardiff Pilotage Board, and which are the dues paid by all other vessels for similar services, amount to £20 10s., the sum offered by the Government to Mr. Harvey is £6 13s.; and upon what basis of payment does the Admiralty make such an offer.

MR. MCKENNA: The local pilotage dues for merchant vessels, which are based on tonnage, are not applicable to His Majesty's Ships. Payment for pilotage of the vessel referred to was made according to a special scale of rates for His Majesty's ships, based on their draught of water, which was proposed by the Cardiff Pilotage Board to the Admiralty in December, 1905, when a question had arisen as to the rate payable for another fleet auxiliary vessel.

MR. BRACE: Before the pilots undertake the responsibility of piloting the vessels are they made acquainted with the fact that the Government propose to pay infinitely lower dues than the general trader?

MR. MCKENNA: I presume it is the duty of the Cardiff Pilotage Board to inform the pilot what dues are payable. I cannot say if they do so.

The Admiralty and Trade Unions.

MR. T. F. RICHARDS (Wolverhampton, W.): I beg to ask the First Lord of the Admiralty whether it is the intention of his Department to refuse to permit the accredited representatives of the trade unions to deputise the Admiralty as has been the usual custom whenever the workpeople employed have had any grievances they wished placed before the Board.

MR. MCKENNA: There is no intention to depart from the practice of hearing petitions from the workmen's representatives, who may include, if the men so desire, representatives of the trade unions.

Windsor Barracks.

Mr. J. F. MASON (Windsor): I beg to ask the Secretary of State for War whether the contract for the completion of the new barracks at Windsor contains any stipulations as to the dates on which the work shall be commenced and completed; and whether any conditions giving preference to local unemployed labour are imposed.

The SECRETARY of STATE for WAR (Mr. Haldane, Haddington): The contract does contain stipulations regarding a period for commencement and completion, the latter to be within eighteen months of the placing of the contract. The delivery of scaffolding and materials has already commenced. No conditions of any preference to unemployed labour are included, but I understand that the contractors are in correspondence with the Mayor of Windsor in reference to local unemployed labour. I do not think there is any likelihood of undue delay.

Reservists in the Colonies.

Mr. COURTHOPE (Sussex, Rye): I beg to ask the Secretary of State for War what bonus has been promised to Reservists on their returning home from the Colonies in case of national emergency.

Mr. HALDANE: No bonus has been promised, or is necessary.

Mr. ARNOLD-FORSTER (Croydon) asked whether the statement made by the President of the Local Government Board, that these men could be got back easily by means of a bonus or some special payment, was a casual or an authorised remark.

Mr. HALDANE replied that he had not the words of the President of the Local Government Board before him, but he presumed that what he referred to was the fact that their expenses would be paid on coming back under the mobilisation regulations. This was no new business. It was the policy of the right hon. Gentleman himself.

Mr. ARNOLD-FORSTER: I deprecate such a statement. There is no foundation whatever for it. May I again ask whether this statement of the President of the Local Government Board was entirely unauthorised?

Mr. HALDANE: Perhaps the right hon. Gentleman will quote the words and I will make inquiry.

Mr. ARNOLD-FORSTER: The words were that these persons would be got back by a special payment or bonus, or words to that effect.

Mr. WALTER LONG (Dublin, S.): I desire to ask you, Sir, whether it is not contrary to the long-established practice of the House for Ministers, in answering a Question, to indulge in controversial statements which cannot be met by those against whom they are made?

***Mr. SPEAKER**: I always thought that Ministers stood to be shot at without being allowed to shoot back.

Mr. ASHLEY (Lancashire, Blackpool): Is it the fact that railway, etc., fare to the barracks is paid in case of mobilisation whether in the Colonies or in England?

Mr. HALDANE: Yes; it is all explained in the Regulations.

Mr. PIKE PEASE (Darlington): I beg to ask the Secretary of State for War what Reserve soldiers receiving Reserve pay are resident in the Colonies; to what respective arms do they belong; what are the numbers residing in each of the principal Colonies; and why is the number limited to 10,000.

Mr. HALDANE: The figures are too long to read out to the House, but I will have them printed in the Votes and Proceedings. The limit has been fixed at 10,000 in view of the immediate requirements on mobilisation.

The following are the figures referred to —

Return of Army Reservists who have permission to reside in the Colonies. 1st September, 1908.

	Africa, South.	Africa, West.	Bermuda.	Ceylon.	China and Hong Kong.	Gibralter.	India and Burmah.	India, West.	Jamaica.	Malta.	Mauritius.	Straits Settlements.	British Guiana.	Australia.	Canada.	Falkland Islands.	New Zealand.	Uganda.	British Central Africa.	General Total.
Household Cavalry -	—	—	—	—	—	—	—	—	—	—	—	—	—	—	5	—	—	—	—	5
Cavalry of the Line -	134	1	—	1	—	—	42	2	—	—	—	3	—	21	326	—	16	—	—	546
Royal Artillery -	72	2	8	1	24	15	140	3	—	7	1	17	—	29	598	—	16	—	—	933
Royal Engineers -	43	6	1	1	4	1	2	—	—	1	—	2	—	15	200	—	6	1	1	284
Foot Guards -	40	—	—	—	1	1	2	—	—	—	—	2	—	12	240	—	6	—	—	304
Infantry of the Line -	138	4	5	1	30	3	417	8	1	9	1	27	1	78	1,527	1	44	—	—	2,295
Army Service Corps -	65	2	—	—	4	—	—	—	—	—	—	2	—	2	157	1	4	—	—	237
Army Ordnance Corps -	5	1	1	—	—	—	—	1	—	—	—	1	—	2	18	—	1	—	—	30
Royal Army Medical Corps -	44	3	—	—	1	2	—	2	—	—	—	1	—	6	81	—	7	—	—	147
Army Veterinary Corps -	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	1
Royal Malta Artillery -	—	—	—	—	—	—	—	—	—	315	—	—	—	—	—	—	—	—	—	315
Total : All Arms -	541	19	15	4	64	22	603	16	1	332	2	55	1	165	3,153	2	100	1	1	5,097

Mr. ARTHUR LEE (Hampshire, Fareham): I beg to ask the Secretary of State for War how many Regular Reservists have already received the permission of the War Office to leave this country and emigrate to the colonies whilst still drawing their Reserve pay; and will he lay upon the Table of the House a copy of the Regulations and conditions under which this permission is granted.

Mr. HALDANE: The figures will be printed in the Votes and Proceedings in reply to the Question just answered. The Regulations for Reservists residing abroad will be found in Paragraphs 57 to 62 of the Army Reserve Regulations, and those for the grant of pay will be found in Articles 1207 and 1208 of the Royal Warrant for Pay as amended by Army Order 100 of 1908.

Mr. ARTHUR LEE: Is any pass or document issued to the Reservists specifying the conditions? If so, can we have a copy of it?

Mr. HALDANE: They cannot go without obtaining leave, and I suppose it is given in writing.

Earl of KERRY (Derbyshire, W.): I beg to ask the Secretary of State for War what undertakings have been given to Reservists in respect of passage money on their returning from the colonies in case of immediate necessity for their service.

Mr. HALDANE: If the noble Earl will kindly refer to Paragraphs 146 to 148 of the Mobilisation Regulations, 1906, he will find the arrangements laid down for the mode of recall of Reservists to the Colours, and in Paragraphs 241 and 242 he will find the provision for their travelling expenses and allowances.

Military Churches in India.

Sir J. JARDINE (Roxburghshire): I beg to ask the Under-Secretary of State for India whether, since the arrival of the Gordon Highlanders at Fort William in February, they have had the use of the Government church in the fort for the purposes of divine services according to the rites of the Church of Scotland, and on what conditions as to licence from the authorities of the Church of England; and whether they were allowed to celebrate the Lord's Supper and the ordinance of baptism in that building according to Presbyterian rites.

The UNDER-SECRETARY of STATE for INDIA (Mr. Buchanan, Perthshire, E.): The General Officer Commanding applied to the Metropolitan for the use of the consecrated church in the fort for parade services during the hot weather, and this was agreed to. The application did not extend to services other than parade services, which are held in St. Andrew's Church.

Sir J. JARDINE: Have the Gordon Highlanders gained anything in regard to being allowed to celebrate religious rites through the action of hon. Members?

Mr. BUCHANAN: I have stated what ecclesiastical privileges they have at this moment, and I must leave the hon. Member to form his own conclusion.

Sir J. JARDINE: I beg to ask the Under-Secretary of State for India if he can state approximately whether any expenses payable out of the revenues of India were incurred as to provision of a temporary building at Jullundhar in which to solemnize the Lord's Supper according to the rites of the Church of Scotland, and as to the removal of the Gordon Highlanders to Fort William, Calcutta, after the decision of the Bishop of Lahore regarding the use of the Jullundhar cantonment church; and whether the authorities of the Church of Scotland made any proposal for removing the Gordon Highlanders from Jullundhar.

Mr. BUCHANAN: The answer to the first Question is in the negative. The expenditure on the whole journey from Peshawar to Calcutta was £1,770. The authorities of the Church of Scotland did not suggest that the regiment should be moved from Jullundhar to Calcutta.

SIR J. JARDINE: As regards the temporary building, may I ask——

MR. BUCHANAN: The temporary building was never erected.

MR. GULLAND (Dumfries Burghs): Has any new development arisen in regard to the general question of Presbyterian services for the Army in India?

MR. BUCHANAN: I do not think I had better say anything about new developments.

The Seizure of the "Lady Kensington."

MR. H. H. MARKS (Kent, Thanet): I beg to ask the Secretary of State for Foreign Affairs whether he can now state the circumstances of the seizure by the Venezuelan authorities of the schooner "Lady Kensington," and of the arrest and imprisonment of her passengers and crew; and what action His Majesty's Government has taken in the matter.

THE UNDER-SECRETARY OF STATE FOR FOREIGN AFFAIRS (Mr. McKINNON WOOD, Glasgow, St. Rollox): My right hon. friend has nothing to add to his reply to a similar Question on the 26th instant, beyond stating that instructions have been since sent by telegraph to both the Governor of the Windward Islands and His Majesty's Minister at Caracas. It must, however, be borne in mind that telegraphic communication with Venezuela is both slow and uncertain, and there may be considerable delay in obtaining a Report from Sir Vincent Corbett. He may, however, be relied on in the meanwhile to take any action that may be practicable, or to make any representations which may be justified.

Published Interview with the German Emperor.

MR. WILLIAM REDMOND asked the Under-Secretary for Foreign Affairs whether the Department had any information as to the authenticity of the interview with the German Emperor which appeared in the Press that day.

MR. McKINNON WOOD said he only received notice of the Question a few minutes before it was addressed to him. As a matter of fact he had not read an account of the interview, or the alleged interview, to which the hon. Member referred, and he was, consequently, unable to express an opinion or give any information about it.

MR. WILLIAM REDMOND asked whether it would be possible for the hon. Gentleman's Department to make an arrangement that, when interviews of this character with important personages took place, they should be published in newspapers which they all read.

[No Answer was returned.]

Committee on Scottish University Grants.

MR. GULLAND (Dumfries Burghs): I beg to ask Mr. Chancellor of the Exchequer whether, in view of the facts that about one-fourth of the students attending the Scottish Universities are women, that women have no place on the Senatus or University Court, and that difficulties have arisen in providing suitable teaching for women preparing for degrees, he will appoint one or more women to the Committee which he has promised to nominate to consider the terms upon which additional grants are to be given to Scottish Universities.

THE CHANCELLOR OF THE EXCHEQUER (Mr. LLOYD-GEORGE, Carnarvon Boroughs): Yes, Sir. I propose to appoint a woman to serve upon the Committee in question.

Tobacco Growing in Scotland.

SIR J. JARDINE: I beg to ask Mr. Chancellor of the Exchequer whether he proposes to take any steps, under the Tobacco Growing (Scotland) Act, 1908, to remove any existing restraints on the growing of tobacco in Scotland; if he can state what restrictions on such growing are now enforced by the Commissioners of Inland Revenue; and whether it is competent to any person in Scotland to procure any sort of licence to grow tobacco, especially for purposes of experiment, and on what terms.

MR. LLOYD-GEORGE: As regards the first part of the Question, I may refer my hon. friend to the reply which I gave yesterday to my hon. friend the Member for Sutherland. Under Section 2 of the Tobacco Growing (Scotland) Act, 1908, the Commissioners of Inland Revenue are empowered to permit the growth of tobacco for experimental purposes in Scotland, subject to such regulations and conditions as they may think fit; but I understand that they have as yet received no application for the grant of such permission.

SIR J. JARDINE: Will agriculturists who have already begun to experiment and have standing crops be allowed to experiment?

MR. LLOYD-GEORGE: If any case is brought before me I will consider it favourably.

MR. WATT (Glasgow, College): Will Scotland be treated as favourably in this respect as Ireland?

MR. LLOYD-GEORGE: Certainly. I am sure I would not dare to do otherwise.

MR. WILLIAM REDMOND: Is it not the fact that the present provisions for growing tobacco in Ireland are the result of seven years careful experiment which have proved that tobacco can be grown in Ireland?

MR. LLOYD-GEORGE: That is so.

Public Houses and Estate Duty.

MR. WALTER LONG: I beg to ask Mr. Chancellor of the Exchequer upon what basis, and by what calculations, the Estate Duty Department of the Inland Revenue arrives at the market value of public-houses in calculating the duty payable upon the estates of deceased owners of public-houses.

MR. LLOYD-GEORGE: The market value of public-houses for the purpose of estate duty is arrived at on the basis of current market prices, and the calculations adopted in each case are those regarded as suitable to the particular public-house to be valued.

MR. HIGHAM (Yorkshire, W.R., Sowerby): Is it not the fact that 95 per cent. of the public-houses are owned by brewery companies and therefore are not affected by this valuation?

MR. LLOYD-GEORGE: That is the case as regards houses owned by companies.

MR. COURTHOPE: Is the right hon. Gentleman aware that in the last few weeks a case has occurred in which licensed property was valued for death duties not on the basis of fourteen years purchase, but at twenty-seven years, by the Board of Inland Revenue.

MR. LLOYD-GEORGE: There is a Question on that later on.

Old-Age Pensions.

MR. DUNDAS WHITE (Dumbartonshire): I beg to ask Mr. Chancellor of the Exchequer whether steps will be taken to issue instructions that, for the purposes of the Old-Age Pensions Act, 1908, allowances made voluntarily to parents over seventy years of age by their children shall not be taken into account in calculating the means of such parents, and that allowances made voluntarily to parents by their children shall, for the purposes of that Act, be placed on the same basis as allowances made to them by persons who are under no Poor Law obligation to contribute to their support.

MR. LLOYD-GEORGE: The instructions to pension officers are that all money income received by claimants to old-age pensions, whether from voluntary allowances or otherwise, is to be taken into account in estimating their means for the purposes of the Act; and, as at present advised, I see no reason for modifying those instructions or discriminating between different kinds of allowances.

MR. COURTHOPE: I beg to ask Mr. Chancellor of the Exchequer what estimate has been made of the saving which is expected to accrue, by reason of old-age pensions, to rural and urban unions, and how such estimate has been arrived at; whether such saving is likely to be equal in amount to the cost of obtaining information; and whether his attention has been called to the calculations which have been made in certain of the Metropolitan unions, showing that the saving which will be effected in these unions owing to the old-age pensions scheme will be very small.

MR. LLOYD-GEORGE: I have no information at the present moment which would enable me to answer the hon. Member's Question.

Death Dues on Licensed Property.

MR. LANE-FOX (Yorkshire, W.R., Barkston Ash): I beg to ask Mr. Chancellor of the Exchequer whether his attention has been drawn to a statement by Mr. Vaughan Gower, of Tunbridge Wells, that when in his capacity of solicitor he recently proposed in his statement of account of estate duty that licensed property should pay duty on a value of fourteen years purchase, the Government refused to accept that proposal, but for the purpose of death duty placed the value at twenty-seven years' purchase; and whether the Government values licensed property at fourteen years purchase for the purposes of extinction, but at twenty-seven years purchase for purposes of revenue.

MR. LLOYD-GEORGE: I am unable to identify the particular case to which the hon. Member refers, in the absence of more specific information. I may, however, say generally that the value for estate duty of licensed property is the price which it would fetch if sold in the open market.

Wandsworth Prison Warder's Claim for Compensation.

MR. CROOKS (Woolwich): I beg to ask the Secretary of State for the Home Department whether any record exists of the injury received by Ernest Taylor while on duty at Wandsworth Prison, 11th May, 1904; and, if such record does exist, can it be produced as evidence in favour of a claim for a compassionate grant for the permanent disablement of Ernest Taylor.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, W.): Prison records show that on 12th May Ernest Taylor mentioned having received a blow on the head when on duty on 10th May, 1904. I must refer my hon. friend to my Answer on 28th April last, a copy of which I will send him.

Beer at Broadmoor.

MR. MARKHAM (Nottinghamshire, Mansfield): I beg to ask the Secretary of State for the Home Department whether an allowance of beer is given daily to all inmates of criminal asylums; will he say the total amount of beer consumed in such criminal asylums during the year 1907; and whether a daily allowance of beer is given to men and women in any other institution of prison under his administration.

I beg also to ask the Secretary or State for the Home Department whether, seeing that during the year 1907, 14,768 gallons of beer were consumed by the inmates of Broadmoor Asylum, he will say whether, in the opinion of his medical advisers, beer is a commodity which it necessary for the health and comfors of the inmates; and, if he still proposes to continue this supply of beer, will he say how many total abstainers there are in this asylum and whether an allowance of beer is given to the women inmates, and, excluding total abstainers and women who do not take beer, will he say the average quantity of beer consumed per day by the inmates; also what proportion of the crimes committed by the inmates were due to drink.

MR. GLADSTONE: I will answer my hon. friend's two Questions together. It has always been the governing principle in the treatment of patients at Broadmoor to eliminate the penal element from their detention as far as possible, and I am advised that it conduces to the comfort, and indirectly to the mental health, of a large number of the inmates that they should have a small daily allowance of beer. At present 42 per cent. of the male and 34 per cent. of the female patients do not drink beer. The beer supplied is of very mild quality, and the allowance is three-quarters of a pint for a man and half a pint for a woman per day. The daily consumption is about forty gallons. I may add that the past history of the asylum has been altogether free from any difficulty or detriment to health which could in any way be attributed to the allowance of beer, and any material change in the dietary would be likely to cause great discontent among a large part of the inmates. In no other institution under my control is beer allowed to the inmates except on medical grounds. The question whether or how far a crime can be said to be due to drink is in some cases a difficult one to answer. I am examining the figures, and will communicate further with my hon. friend when I have done so.

Vivisection.

MR. G. GREENWOOD (Peterborough): I beg to ask the Secretary of State for the Home Department whether he is aware that the certificate under which the experiment on two dogs was performed, referred to by Colonel Laurie in his evidence before the Royal Commission on Vivisection, provided only that the animals should be placed under an anæsthetic of sufficient power to prevent their feeling pain during the operative procedure; that the experimenters retired during the experiment for an interval of half-an-hour, leaving the vivisected dogs fixed to the operating table; that during the interval no operative procedures were performed upon the animals, and that consequently the certificate issued by the Home Office afforded no protection to the dogs from consciousness and sensibility to pain during that interval; and whether, in these circumstances, he will amend the wording of his certificate so as to afford a real and complete protection from suffering to vivisected animals during the whole of all experiments upon them calculated to cause pain.

MR. GLADSTONE: The two experiments in question were performed under licence alone, and not under any certificate. The animals were, therefore, required to be kept during the whole of the experiment under the influence of an anæsthetic of sufficient power to prevent their feeling pain. It is stated by Dr. Shore, who performed the experiments' that this was done.

*MR. LUPTON (Lincolnshire, Sleaford): May I ask was the retirement for half-an-hour referred to in the question for lunch?

*MR. SPEAKER: Order, order.

The Imprisoned Suffragists.

MR. C. B. HARMSWORTH: I beg to ask the Secretary of State for the Home Department whether he will consider the possibility of treating the three imprisoned lady Suffragists, Mrs. Drummond, Mrs. Pankhurst, and Miss Pankhurst, as first-class misdemeanants.

SIR B. GURDON (Norfolk, N.): Will the right hon. Gentleman take care that these rich and delicately-nurtured ladies receive exactly the same treatment as would be meted out to the poor, starving wife of an unemployed workman who was tempted to break the law and assault the police?

*MR. GLADSTONE: The division in which a prisoner is to be placed must by law be determined by the magistrate in his discretion, and I cannot order the prisoners in question to be treated as if they had been placed in the first division.

*MR. KEIR HARDIE (Merthyr Tydvil): Is it not a fact that in October, 1906, and from then until January of this year women imprisoned for similar offences were treated as first-class misdemeanants; why has that rule been departed from; and will the Home Secretary use his influence and authority to have similar cases treated as first-class misdemeanants?

*MR. GLADSTONE: As a matter of fact, the magistrates in their discretion did order first division treatment to the first batches of Suffragists, which were dealt with in 1906 and the beginning of 1907. Then, I think, nearly twelve months elapsed without further disturbances, but in January of this year and subsequently the magistrates, also in the full exercise of their discretion, thought fit to order the second division treatment. As I have repeatedly said, I have no power to interfere with the discretion of the magistrates by giving orders for the removal of prisoners from one division to another.

Mr. DILLON (Mayo, E.): Is it not the fact that in the case of Dr. Jameson and the raiders the Government of that day did overrule the decision not of a magistrate, but of the Judge of the High Court who had sentenced them, and whether, in view of the fact that these ladies have been convicted for what is undoubtedly a political offence he will exercise his power to see that they are treated as first-class misdemeanants?

Mr. GLADSTONE: It is true that in the cases referred to by the hon. Member the prisoners were transferred to what was then the first misdemeanant class, but that was done through the machinery of the prerogative of mercy. The whole situation has been altered by the Act of 1898, by which the discretion as regards the division to which the prisoner is to be sent is specially reserved to the magistrate.

Mr. WILLIAM REDMOND: Might I ask whether, in view of the peculiar circumstances of the case and the fact that this House has by an enormous majority affirmed the principle for which these ladies have been agitating, he will consider whether it would not be possible to have them treated in some sort of respectful way in prison?

*Mr. GLADSTONE: I have repeatedly pointed out, I have no power to order a alteration of their treatment. It may be that the hon. Member is justified in saying that theirs is a political offence, but, as a matter of fact, I am not aware in what direction the hon. Member will find any power which would enable me to give effect to his suggestion.

Mr. MYER (Lambeth, N.): Is it not the fact that these ladies incited the mob to rush the House of Commons?

Mr. WILLIAM REDMOND: A jolly good job if they rushed some of you out.

*Mr. LUPTON (Lincolnshire, Sleaford): Is it not a fact that these ladies practically have imprisoned themselves, and that the Secretary of State has full power to discharge them at once, which is what they do not want?

Mr. GLADSTONE: The ladies have full power to discharge themselves.

Mr. KEIR HARDIE: Has the right hon. Gentleman any power in this matter? Does he say that he has no power to order their removal to the first-class?

Mr. GLADSTONE: Yes, Sir, that is what I said.

Case of Elizabeth Morrice.

Mr. T. F. RICHARDS (Wolverhampton, W.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to a sentence of five years passed at the Middlesex Sessions by Sir R. Littler, upon a woman named Elizabeth Morrice, fifty-two years of age, for stealing 1d.; and whether he will say what action he proposes to take towards remitting some part of the punishment.

Mr. GLADSTONE: I fear I cannot give an answer to this Question until I know whether there is to be an appeal, *i.e.*, till ten days from conviction.

Membership of Registered Clubs.

Mr. H. H. MARKS (Kent, Thanet): I beg to ask the Prime Minister if, before preparing their Licensing Bill, the Government had taken any steps to ascertain the number of members belonging to the registered clubs; and if he can state the number of members belonging to the registered clubs in respect of which Returns were made, under the Licensing Act, 1902, during the years 1905, 1906, and 1907, and the number of members belonging to clubs which were removed from the register during each of those years.

Mr. GLADSTONE: I beg to answer this Question on behalf of my right hon. friend. I have no information enabling me to give figures as to the membership of registered clubs in the years indicated, or of the clubs struck off the register in those years.

Mr. H. H. MARKS: Cannot the right hon Gentleman answer the first part of the Question?

Mr. GLADSTONE: No steps have been taken; the number is admittedly large.

Licensing Bill Debate.

Sir FRANCIS CHANNING (Northamptonshire, E.): I beg to ask the Prime Minister whether he has considered the shortness of time for discussion arising from the putting down of Clauses 18 and 19 of the Licensing Bill on Friday; whether he can arrange to bring the discussion on Clause 18 to a conclusion in time to allow of Clause 19 being discussed; and, if this is impracticable, whether he will put down on behalf of the Government an Amendment to secure the widely expressed wish of his supporters that the exclusion of children under sixteen from licensed bars should be made statutory instead of permissive.

Mr. GLADSTONE: The length of the discussion on Clause 18 is a matter which is in the control of the House, not of the Prime Minister. It is hoped that an opportunity will be found of dealing with Clause 19 before the Bill leaves the House, and I cannot put down the Amendment suggested at the present time.

Mr. JESSE COLLINGS (Birmingham, Bordesley) asked whether the right hon. Gentleman could put down an Amendment to exempt children of the poorer and working-classes who have no servants and no cellars.

Mr. GLADSTONE replied that he should like notice of that Question.

Imported Boneless Meat.

Mr. WATT: I beg to ask the President of the Local Government Board whether his attention has been called to the quantities of boneless meat which are being imported into this country from New Zealand and Australia; if so, is he aware that much of it has been condemned by the local authorities, but that this condemnation is accompanied by a statement to the effect that it is impossible to examine every box and find out all the faulty; and whether, in these circumstances, he will issue instructions forbidding meat in that form to be imported.

The PRESIDENT of the LOCAL GOVERNMENT BOARD (Mr. John Burns, Battersea): Considerable quantities of boneless meat are imported into this country from New Zealand and also some from Australia, but I am not aware that in recent months there has been any exceptional condemnation of it in England and Wales, with which alone I am concerned in this matter, or that the condemnation has been accompanied by a statement to the effect mentioned. As regards the last part of the Question, I may draw attention to the Foreign Meat Regulations which I lately issued and which will come into force on 1st January next. The regulations will have the effect of preventing the importation for consumption in England and Wales of meat of the class referred to.

Mr. WATT asked whether the right hon. Gentleman would undertake to see that these importers would suffer detriment if steps were not taken to hinder defective meat of this description from being brought into the country.

Mr. JOHN BURNS said that if the meat was unsound and unfit for consumption the importers would labour under the same disability as the butcher or grocer under the English law who tries to pass unsound food into circulation.

Motor Speed.

Mr. MARKHAM: I beg to ask the President of the Local Government Board whether he has communicated with the London County Council, or any other authorities, advising them to make application to him for powers to reduce the speed of motor cars in populous towns to a speed not exceeding ten miles per hour; and, if not, whether he will forthwith do so, in view of the large number of accidents caused to persons by excessive speed.

Stafford for employment as postman. He was informed that he was not eligible for such a post, as, under an arrangement of many years standing, they are reserved for ex-telegraph messengers or for ex-soldiers or sailors. The postmaster endeavoured, however, to obtain for him an auxiliary place but was not able to find a vacancy. His name was not recorded for Christmas work, as it appeared that he was in casual employment as a warder in the prison; and I have already informed the House we desire, as far as possible, to take on for this work men wholly unemployed. The man in question made no reference to the Prime Minister's speech and, indeed, as will be seen from the above, he did not come within its meaning.

Motor Speeds.

MR. MARKHAM: I beg to ask the First Commissioner of Works whether his attention has been directed to the proceedings in the prosecution of the hon. Member for North-West Wilts at the Marylebone Police Court on Thursday last, when Park-Constable Petherick stated on oath that the motor car of the hon. Member had exceeded the speed-limit in Regent's Park by twelve miles per hour, that the hon. Member had informed him he charged the police with blackmail, and that it was his intention to bring this case before the House at once; will he say whether he will give the hon. Member an opportunity of proving this charge of blackmail; and if he will investigate this charge forthwith.

THE FIRST COMMISSIONER OF WORKS (Mr. L. HARCOURT, Lancashire, Rossendale): The hon. Member for North-West Wilts seems to have made a general complaint as to the methods of speed control all over the country; and the words used, no doubt at a moment of irritation, appear to have had no special application to the park-constable. I do not think it is necessary for me to take any steps in the matter.

MR. MARKHAM: Will the right hon. Gentleman give the hon. Member an opportunity of bringing his case before the House?

MR. L. HARCOURT: I will give any hon. Member anything he wants if it is within my power.

Victoria and Albert Museum.

MR. HORNIMAN (Chelsea): I beg to ask the First Commissioner of Works if he will state at what date the Vctoria and Albert Museum will be completed; whether there is still a considerable amount of painting and decorating to be done; how many men are at present employed on this work; whether he can arrange for more to be put on immediately; and whether he will consider the advisability of completing the new building and transferring the contents of the museum to the same as soon as possible, so that employment may be given by cleansing and redecorating the older portions of the museum.

MR. L. HARCOURT: It will probably be completed by the end of January or beginning of February. There is some plain painting and distempering to be done; but nothing that can be called "decoration." There are about 170 men employed on this work, and I fear that there is no likelihood of a larger number being employed. The new building will be completed and the contents of the museum transferred to it as rapidly as possible.

King Edward the Seventh Street Post Office.

MR. HORNIMAN: I beg to ask the First Commissioner of Works what is the present condition of the new Post Office in King Edward the Seventh Street; whether the building is now ready for the plasterers to commence work on both the exterior and interior; whether contracts have yet been let for the said work; and, if not, whether he will consider the possibility of doing this immediately by direct employment, so giving work to many men belonging to a branch of the building trade at present suffering from great depression.

MR. L. HARCOURT: The block next to King Edward Street is completed so far as the reinforced concrete is concerned; and the main building is so far advanced that part of the third floor has been constructed. The existing contracts provide for external cement work, which will be commenced by the builders at an early date. The date for the commencement of the internal plastering cannot yet be definitely stated; it depends upon the progress made; probably it will be possible to begin it in March or April.

Small Holdings in Hampshire.

MR. R. HARCOURT: I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether the number of acres acquired in Hampshire under the Small Holdings Act is fifteen; whether this is the smallest number in any county in which land has been acquired; whether he will state what is the acreage applied for in that county; whether the Board is satisfied that the county council is making adequate use of its statutory powers; and, if not, what action it is proposed to take.

SIR EDWARD STRACHEY: The replies to the first and second parts of the Question are in the affirmative, but I should add that negotiations are in progress for the acquisition of additional land, amounting to about 435 acres, in different parts of the county. Applications for 7,743 acres have been made. The Board have no reason to suppose that the county council are failing to carry out their obligations under the Act, but we are in communication with them, with a view to the expedition of matters, as much as possible.

MR. ASHLEY (Lancashire, Blackpool): Although only fifteen acres have been acquired in Hampshire, is it not the fact that in 44 per cent. of the administrative counties of England and Wales no land at all has been acquired?

SIR EDWARD STRACHEY: I think that is not right.

Land Values.

MR. R. HARCOURT: I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether, in counties where land has been acquired in any considerable quantities under the Small Holdings Act, county councils are experiencing difficulties in acquiring further parcels of land owing to a rise in price.

SIR EDWARD STRACHEY: No, Sir.

Potato Disease in Ireland.

MR. LONSDALE (Armagh, Mid): I beg to ask the Vice-President of the Department of Agriculture (Ireland) what steps are being taken to prevent the introduction into Ireland of the black scab potato disease.

THE VICE-PRESIDENT OF THE DEPARTMENT OF AGRICULTURE FOR IRELAND (Mr. T. W. RUSSELL, Tyrone, S.): In February last, the Department issued and distributed in large numbers throughout the country a leaflet on black scab in potatoes. On the 2nd instant the Black Scab in Potatoes (Ireland) Order, 1908, made in pursuance of powers conferred by the Destructive Insects and Pests Acts, 1877 and 1907, came into operation. This order requires every person, who has in his possession or charge any potatoes affected or suspected of being affected with this disease, to notify the fact to the Department. Failure to give such notice renders the defaulters liable to a penalty of £10. The order further prohibits the landing in Ireland of any potatoes diseased or suspected of being diseased, brought from any place outside of Ireland. A person landing such potatoes in contravention of this order is also liable to a penalty of £10.

CAPTAIN DONELAN (Cork, E.): Is the right hon. Gentleman aware that the potato disease is prevalent at the present moment in many parts of county Cork where spraying was resorted to? Would it not be well to make known the best method of preserving potatoes which have been raised and stored and have so far escaped disease?

MR. T. W. RUSSELL: If my hon. friend refers to the disease known as black scab, I can reassure him. We have had hundreds of samples from all parts of Ireland, and in no case have we found that disease.

CAPTAIN DONELAN: Is the hon. Gentleman not aware that potatoes are rapidly blackening in many districts?

MR. T. W. RUSSELL: That is the ordinary disease, but the terrible disease known as black scab has not got into

Ireland. After the serious weather we have had I am afraid the blackening is almost inevitable.

Criminal Statistics and Cattle Drives.

Mr. LONSDALE (Armagh, Mid.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether, in the cases of cattle-driving in which persons have been made amenable by summary proceedings directed to their entering into sureties for future good behaviour, such cases have been recorded in the official statistics of crime; and, if so, under what designation.

The CHIEF SECRETARY for IRELAND (Mr. Birrell, Bristol, N.): The reply is in the negative. The statistics of crime to which reference is made in the Question relate to indictable offences only.

Mr. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether, in view of the fact that the offence of cattle-driving is an indictable offence and that the great majority of such offences are not entered in the annual Returns of crime, he will consider the propriety of including with these Returns, for the purpose of public record, a table showing the total number of cattle-drives reported by the police and indicating the proportion of these offences recorded in the classified tables of indictable crime.

Mr. BIRRELL: As I have repeatedly stated, the question whether cattle-driving is an indictable offence depends upon the circumstances of each case. In the great majority of cases there is no evidence of unlawful assembly or other indictable offence, and such cases are therefore not included in the returns of serious crime. I have always given, and am prepared to give, full information to hon. Members as to the number of cases of cattle-driving and the number recorded as indictable offences, but I cannot undertake to include in the Returns of crime cases which do not properly belong to those Returns.

In reply to a further Question—

Mr. BIRRELL said it was not always the case that a cattle-drive could be classed as an unlawful assembly. It might be the work of one or two persons only. He was willing, however, to give the House all possible information in regard to these cases.

Boycotting Outrages.

Mr. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland what is the number of persons returned as boycotted during the past two years who were, in addition, the victims of overt outrage; and will he indicate the acts of outrage committed in each case without specifying the names of the individuals attacked.

Mr. BIRRELL: During the past two years indictable offences were committed against sixty-one persons who were the subject of boycotting or attempts to boycott. The offences were as follows: Firing at the person, eight cases; firing into dwellings, fourteen; incendiary fires, nine; killing or maiming cattle, four; injury to property, fourteen; larceny, six; intimidation by threatening letters, twenty-four; intimidation by other means, nine.

Woodford Civil Bill Office.

Mr. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to the statement of Judge Anderson at the Gort Quarter Sessions on the 19th, that owing to the system of boycott no man can be got to retain the office of civil bill officer for the Woodford district, and the result is that rents and ordinary debts cannot be recovered; and what action he proposes to take to suppress boycotting and restore respect for the law in this district.

Mr. BIRRELL: My attention has been drawn to the statement referred to. The police authorities inform me that they are not aware of any case in which a civil bill officer has been boycotted in the Woodford district. It would appear, therefore, that the County Court Judge—assuming that he is correctly reported—has been misinformed as to the reasons for the difficulties in filling the appointment. I may add that, when necessary, the police invariably afford full protection to process servers in the discharge of their duties.

Mr. CHARLES CRAIG (Antrim, S.): Will the right hon. Gentleman cause communication to be made to Judge Anderson asking him where he got his information?

Mr. BIRRELL: I think the police are the better collectors of evidence of that kind.

Mr. CHARLES CRAIG: Is it not the custom of the Judges at Assizes and Quarter Sessions to make statements as to the peace of the community on information supplied by the police?

Mr. BIRRELL: I obtained my information from the police.

Mullingar Compensation Claim.

Mr. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to the claim for compensation made by Mr. George Alley, at Mullingar Quarter Sessions on the 19th instant; whether it was proved on oath that the claimant's cattle were driven to the point of exhaustion, that two beasts had their tails cut off, one having about two inches of the bone left, and that the drivers were armed with knives as well as sticks; whether the ratepayers have to pay the compensation awarded in this case; and whether any persons were made criminally amenable for this cruelty to animals.

Mr. BIRRELL: Mr. Alley's claim for compensation was heard at Mullingar on the 19th instant. The police who found the cattle gave evidence that they had been over-driven, and that two of them had had their tails cut off. Compensation to the full amount claimed, £50, was awarded, and is to be levied off the county at large. The offence was committed at night by persons unknown, and in the absence of evidence the police have been unable to bring the offenders to justice.

Irish Government Appointment.

Mr. MOORE (Armagh, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state what qualifications Mr. Donovan possessed for his appointment as Secretary to the Dublin Commission under the Irish Universities Act; and what was his occupation previous to his appointment.

Mr. BIRRELL: The Irish Universities Act places the appointment of secretary in the hands of the Commission. I have no concern in the appointment but have no doubt that the Commissioners have exercised the powers conferred on them in a wise manner.

Mr. CHARLES CRAIG: This matter is of very considerable importance, and I think the public should know what qualifications this gentleman has. Will the right hon. Gentleman kindly inquire?

Mr. BIRRELL: No, Sir. I most emphatically will not. In this case I am glad to say that Ireland has obtained complete autonomy.

Mr. CHARLES CRAIG: Will the right hon. Gentleman consider the desirability of handing over the entire government of Ireland to the *Freeman's Journal?*

[No Answer was returned.]

Mr. J. MACVEAGH (Down, S.): A veritable Daniel come to judgment.

Castlereagh School Grant.

Mr. SLOAN (Belfast, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the National Commissioners of Education promised the manager of the O'Neill Memorial School, Castlereagh, County Down, that £287 6s. 6d. would be paid as a supplementary grant towards the erection and equipment of the school; and if he can say why such grant has not been paid.

Mr. BIRRELL: The Commissioners of National Education inform me that no definite promise of a supplementary grant was given in this case, but the manager was made aware that the Commissioners were in favour of granting his application if possible. The matter is still under consideration.

Irish Public Appointments.

Mr. MOORE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will grant the Motion for the Return in the name of the hon. Member for North Armagh.

The Return was as follows:—"Mr. Moore: Public Appointments (Ireland).—Return showing the number of persons in Ireland, and the date of their respective appointments, now in receipt of public moneys who have been connected with the *Freeman's Journal*.

Mr. BIRRELL: No, Sir.

Purchase Loans.

Mr. DILLON (Mayo, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he will request the Estates Commissioners in all future monthly returns of purchase loans sanctioned to distinguish between first- and second-term rents, and to add a column giving the number of years purchase in each case.

Mr. BIRRELL: The returns to which the hon. Member refers are prepared by the Estates Commissioners in the form prescribed by the Treasury in pursuance of the Act of 1903. I will consult with the Commissioners and the Treasury as to the possibility of adding to the Return particulars of the nature suggested by the hon. Member.

Land Purchase in Ireland.

Mr. DILLON: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state for each half-year from November, 1903, to May, 1908, and for the period from May, 1908, to 30th September, 1908, the number of agreements and applications for loans which have reached the Estates Commissioners, the area covered by these applications, and the amount of money applied for.

Mr. BIRRELL: I have received from the Estates Commissioners a tabular statement giving the figures asked for by the hon. Member, and will, with his permission, publish it with to-night's Votes.

Monaghan Meeting on Land Purchase.

Mr. WILLIAM O'BRIEN (Cork): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he has seen a report of the county meeting at Monaghan, convened by the Nationalist chairman of the county council, presided over by the Lord-Lieutenant of that county, and addressed by the principal representative men of Monaghan, Nationalist and Unionist, landowners and tenants, at which, on the proposal of a canon of the Protestant church, seconded by a Catholic parish priest, an advisory committee was appointed to aid in the solution of outstanding difficulties on the land question; and whether he will avail himself of offers of friendly co-operation of that sort from all sides to try whether an amending Land Bill can be still passed through Parliament this session by fairly general agreement.

Mr. BIRRELL: I have seen a Report of the meeting to which the hon. Member refers. I shall be only too glad to avail myself of friendly co-operation from all sides, with the object of securing the earliest passage through Parliament of amending land legislation.

Mr. WILLIAM O'BRIEN: Will the right hon. Gentleman be good enough to take some practical steps to utilise the union of classes which both he and his predecessor have insisted is absolutely required for the settlement of the land question?

Mr. BIRRELL repeated that he would gladly welcome frendly co-operation from all sides.

Bail for Cattle Drivers.

Mr. MOORE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland in how many instances have persons under a rule of bail for cattle-driving been found engaged in a repetition of similiar offences; and in how many such cases have the recognisances been estreated.

Mr. BIRRELL: The police authorities inform me that there have been four cases of the kind, in all of which the recognisances have been estreated.

Oranmore Outrage.

Mr. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that shots were fired into the residence of Mr. Myles J. Keaven, at Prospect, Oranmore, on Friday night; and whether the perpetrators of this outrage have been arrested.

Mr. BIRRELL: The reply is in the affirmative. The police have carefully investigated the case, but have not succeeded in obtaining evidence which would warrant any arrest.

Mr. LONSDALE: Has Mr. Keaven since received threatening letters?

Mr. BIRRELL: I have not heard so.

School Disputes in Ireland.

Mr. BARRIE (Londonderry, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether any steps are now being taken to settle the question of the appointment of referees in all cases of dispute between managers and teachers of National Schools in Ireland.

Mr. BIRRELL: As I have repeatedly stated, the Commissioners of National Education are of opinion that it is desirable that a referee should be available in the case of dismissal of teachers, and two out of the four forms of agreement between managers and teachers provide for the appointment of a referee. The Commissioners, however, have no power to compel the adoption of a form of agreement which contains that provision.

Athenry Outrage.

Mr. CHARLES CRAIG: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that on the night of 4th September last, six shots were fired into the house of a man named Farrington, near Athenry, County Galway; and what arrests have been made in connection with the matter.

Mr. BIRRELL: Several shots were fired into this man's house on the night of 4th September. The police have been unable to discover the offenders.

Ballinderreen Outrage.

Mr. CHARLES CRAIG: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that on 14th September last, at about 8 p.m., eight shots were fired into the house of a man named Faley, on the Tyrone estate, near Ballinderreen, County Galway; whether any arrests have been made in the matter; and what steps are being taken to prevent the repetition of outrages of this nature.

Mr. BIRRELL: The police have reported the offence referred to. No arrests have been made. The police are affording protection in the case, with the object of guarding against a repetition of the offence.

Untenanted Grass Lands.

Mr. CHARLES CRAIG: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that a large proportion of the untenanted grass land which has been parcelled out to new tenants in Galway and other counties in Ireland has been already sub-let by the new owners as grass farms; and whether, in view of the declared intention of the Government to turn these grass lands into tillage farms, they propose to take any further steps in this direction.

Mr. BIRRELL: I have no information to the effect stated in the first part of the Question, and the Estates Commissioners inform me that they also have no knowledge that the fact is as stated. I am not aware that the Government have declared their intention to turn grass farms into tillage farms.

Mr. CHARLES CRAIG: Is it not the fact that people have sub-let these farms at rents representing three or four times as much as they are paying the Estates Commissioners?

Mr. BIRRELL: There is a legal question involved in regard to these tenancies, and it is not for me to express an opinion.

Irish School Teachers' Insurance.

MR. BARRIE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that managers of National Schools in Ireland have to pay out of their own resources premiums upon the insurance of teachers under the Workmen's Compensation Act; and whether, having regard to the fact that the salaries of the teachers are paid out of State funds, he will endeavour to induce the Treasury to provide funds for the insurance of the teachers against accident.

MR. BIRRELL: I can only refer the hon. Member to the answers repeatedly given by the Secretary to the Treasury to Questions on this subject. I would refer in particular to the answer of 27th June, 1907.

Anketel Grove Estate, Monaghan.

MR. CHARLES CRAIG: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that in the partitioning of the Anketel Grove demesne estate, in County Monaghan, by the Estates Commissioners, injustice has been done to a number of Protestants, who, according to the rules usually followed by the Commissioners, ought to have received portions of the property; whether he is aware that on the preliminary list prepared by the Commissioners' inspector there were eighteen Protestants and seventeen Roman Catholics, and that although the Roman Catholics were allocated more than two-thirds of the estate, the list was subsequently altered, and the estate finally divided amongst thirty Roman Catholics and fourteen Protestants; and will he say who was responsible for this change, and on what grounds it was made.

MR. BIRRELL: I have referred this Question to the Estates Commissioners, who strongly deprecate the suggestion contained in it. In allotting lands the Commissioners do not make any inquiry as to the religion of the applicants, nor do they in any way take such matters into consideration.

MR. CHARLES CRAIG: Then how does the right hon. Gentleman account for the extraordinary fact that the preliminary list contained the names of eighteen Protestants and seventeen Roman Catholics, while in the final list there are thirty Catholics and only eighteen Protestants?

MR. BIRRELL: The Commissioners make no inquiry whether a man is a Catholic or a Protestant.

MR. DILLON: Are not two of the Estates Commissioners Protestants and only one a Catholic?

MR. BIRRELL: I believe that is the case, but I always deprecate making inquiries.

LICENSING BILL.

Considered in Committee.

(In the Committee.)

[MR. EMMOTT (Oldham) in the Chair.]

Clause 12:

MR. ASHLEY (Lancashire, Blackpool), in moving the omission of subsection (1), said he had not up to now intervened in these debates, because there were many hon. Members far better acquainted with the details of these intricate questions of time-limits, reduction periods, and other terms which conveyed little meaning to the uninstructed mind, but he must say that when he read subsection (1) of Clause 12, it seemed to him that it was a section against which anyone knowing nothing about the question could venture to raise his voice in protest, because a more undemocratic, a more autocratic, clause had never been introduced into any Bill in that House. If hon. Members opposite would look at Clause 14 they would see that His Majesty was authorised to appoint a Licensing Commission consisting of a chairman and two other Commissioners. Clause 12, which they were now discussing, said that all sums payable in respect of compensation under the Act as a consequence of reduction—

> "Shall be paid by the Licensing Commission, and in order to meet those payments the Licensing Commission shall impose in each year of the reduction period, equally throughout England and Wales, in respect of the renewal of all old

on-licences, charges at such rates (graduated in the same proportion as the rates shown in the scale of charges set out in the second Schedule to this Act) as may be necessary for the purposes."

He would draw the attention of the Committee to that extraordinary provision. It said they might charge at such rates, graduated in the same proportion as the rates in the schedule, as might be necessary. It did not say they must charge as allowed in the Schedule, but only in proportion to the Schedule, and therefore, if he read the clause aright, they were asked by the Government to part with the one power which he always imagined the House of Commons most jealously guarded, namely, the power to regulate the levying of taxes and of rates in this country. Every year they voted a tax of so much per pound on tea and on sugar; every year they said that the income-tax should be so much in the £; but they were asked here to say that the Licensing Commission,a Commission appointed nominally by the Crown but of course in practice by the Government of nineteen or twenty men, should be allowed to tax the licensing trade as high as ever they liked for the purpose of reducing licences, as long as they kept to the proportion laid down in the second schedule of the Act. It seemed to him that that was an absolutely unheard of proposal and one which the Committee ought to hesitate over before allowing it to pass into law. If they carried their minds back 250 years they found that that was the very thing which the Parliament of King Charles I. wrested from the Crown, *i.e.*, the power of levying taxes without the sanction of Parliament, and yet the Government now said: "Trust the three Commissioners so much as to allow them to impose what taxes they like upon the licensed trade." It was not as if the Commissioners were a popularly elected body. The old school boards could make what rates they liked, but they were popularly elected; and in the same way any town council had power to levy a rate, but they were popularly elected and answerable to the electors for the rates which they levied. Even the Metropolitan Water Board, although it was a semi-popularly elected body, was limited in its power of levying a rate. There was really nothing more to be said. He should be very anxious to hear what the Government had to say in support of the proposal, and when he had heard what they had to say he might be able to answer their statements. He begged to move.

Amendment proposed—

"In page 7, line 29, to leave out subsection (1)."—(*Mr. Ashley.*)

Question proposed, "That the words proposed to be left out, to the word 'reduction' in line 31, stand part of the clause."

*MR. G. D. FABER (York) said that in the earlier stages of the Bill they discussed the authority which should have the control over the reduction of licences, and now they had got to say who should have control of the compensation fund, what should be the maximum of the levy, and how it should be raised. The Prime Minister, in introducing the Bill, mis-described the compensation fund when he called it a national fund. The description gave rise to the criticism that the Bill only applied to England and Wales, and as he understood the homogeneousness of this country, under the name "nation" Ireland and Scotland were included, but they found no place in the Bill, for reasons no doubt well known to the Government. The second criticism he had to offer on the expression of the Prime Minister was that the nation were not finding the fund at all. Dust had been thrown in the eyes of the country from the first initiation of this matter until now as regards the so-called national compensation fund. The nation were not finding a penny piece. The people who were finding the money were a very small portion of the nation, only those interested in licensed premises. Therefore, let them no longer call it a national fund but call it what it was, an insurance fund paid by the trade to provide against their own extinction. What was the meaning of an insurance fund? They insured against some injury that might happen to them, such as fire, or death; they made a payment, and they presumed a benefit. But what was the method adopted by the Government in this Bill as regards the extinction of licences? They had chosen, in spite of expostulation and protestation, to divide the whole of the country for reduction purposes into infinitesimal areas. They were not content with the large areas of the Act of 1904, the quarter sessions and large borough areas; nothing would content them but to cut up the whole country into the smallest possible areas—wards in the boroughs and parishes in the rural parts of the country. Then let the Government be consistent. Surely the same plan ought logically to be followed for compensation purposes. He would instance the City of Leeds, and take a ward in that city, which would not require to be interfered with under the reduction scheme at all, as it only had the number of licences it was entitled to have. But how was the compensation levy going to act in that ward? If no licence in that ward was going to be touched, surely the levy ought not to apply to it. Why was it to find part of the levy if not a single licence in that area was to be affected by the reduction scheme of the Bill? It received no benefit from the reduction, and therefore why should it pay? It might be said that the areas were so small that although this particular area would suffer no loss of licensed houses, it would gain in trade from some adjoining area which would lose licensed houses. That argument would come with strange force from the opposite side of the House, because the whole idea of the Bill, as he understood it, was that the reduction of licensed houses lessened the amount of drink consumed. Therefore, it did not lie with the other side to say that this particular area would benefit, because, according to them, as a licence was extinguished so was the amount of drink arising out of that licence also extinguished. If he enlarged the area the injustice would become more apparent. Under the scheme of the Government, Leeds would lose a number of licences, proceeding by areas, although, if they took the whole of Leeds, that city was entitled to more than it would get under the Bill. It was perfectly clear that the particular ward he had mentioned would not benefit. It would have to pay a compensation levy year by year at the maximum rate — and perhaps, as he would show, above the maximum rate—and yet it could receive absolutely no benefit whatever. To put the matter even more forcibly still, why was one particular ward in Leeds, where reduction was not called for, to pay for the extinction of licences, say, in Northumberland or in Cornwall? Under the scheme, the Government did not intend to be content with the statutory reduction of 32,000 licences during the statutory period, but they had put in provisions for optional reduction and for local option in Wales. How, he asked, could a small area in Leeds be benefited by local option in Wales?

*The CHAIRMAN said he did not wish to call the hon. Member to order, but he would point out that there was an Amendment further down dealing with the word "equally," and if the whole question were discussed just now, of course the debate could not be repeated on that Amendment when they came to it.

*MR. G. D. FABER said that in that case perhaps it would be better if he did not discuss the matter, as he did not wish to prejudge any question which might arise hereafter and prevent hon. Members from going into details when that Amendment was reached. Therefore, he would try to apply himself to the more general discussion of the subsection, but it did seem to him most important to point out to the Committee how extraordinarily unfairly this new levy would act when it was applied to the licensing areas throughout the country. His whole understanding of an insurance fund had been that the person insuring had some chance of benefiting by the insurance.

SIR GILBERT PARKER (Gravesend), referring to the point of order, said the Amendment as to the word "equally" came a very long way down in the Amendments. There was little chance of its being reached, and if the questions arising on this subsection were not discussed then they might not have an opportunity of doing them.

MR. A. J. BALFOUR (City of London) said he understood that the Chairman's view was that the discussion was not out of order but they could not have it twice over, and that if they were going to discuss the matter generally, including all the questions which arose naturally and properly upon the word "equally," on the consideration of the omission of the subsection, he would not allow them to repeat the arguments when they reached the word "equally." If he were right, it would be a matter for the convenience of the Committee whether they were to take the whole discussion, including the discussion on the word "equally," on the subsection, or whether they limited themselves to those questions which did not touch the word "equally." If that were so, he was inclined to think they ought to discuss the whole matter then.

*THE CHAIRMAN said he only mentioned it as a matter of convenience, and to make it clear that if the Committee desired to discuss that point later he did not think it should be discussed in detail then.

*MR. G. D. FABER said that, as far as he was concerned, without wishing in any way to weary the Committee or duplicate argument, perhaps it would be best that he should complete his argument on this point. He objected to the way in which the Government had divided the country up for reduction purposes. The Act of 1904 at any rate committed no mistake of that kind, and that statute was consistent within its own four corners. It had the Quarter Sessions area, and it provided for reduction and compensation within that area, so that if any licensed house was extinguished under the scheme, the surviving houses might be presumed somehow or other to get benefit, either a near or more remote benefit, according to the situation of the particular licensed house which was extinguished. But here under this ill-conceived and inconsistent measure they found in one part of the Bill the area of the country cut up into these small squares, like squares upon a chess-board, whereas when they came to deal with compensation it was to be from a so-called national fund. It seemed to him inconceivably unjust that a man who owned a licensed house in one part of the country, and in an area in which the number of licensed houses was within the scale laid down by the Bill, should yet have to pay a compensation levy year after year in respect of licensed houses at the other end of the country. He had been taught from his childhood upwards that virtue was its own reward, but this was going a step further and saying that although a particular area was so virtuous as not to require the extinction of any licences, yet that area was to be mulcted and penalised in exactly the same degree as if it were a malefactor in the matter of drink. Then let them take local option in Wales. Why was his pet ward in Leeds to pay an unknown levy year after year in order to keep Wales sober? Why should it be appointed to discharge such an impossible task, and have to pay for it as well? The Government had mixed up their ideas. Where it was reduction they wanted to draw the net as close as possible and make the meshes of it as small as possible, but when they came to the compensation the net was thrown so wide that the whole licensed properties in the country had to pay for individual extinctions. As regarded the compensation fund, it had been well pointed out by the mover of the Amendment that even now, with all the patent hardships inflicted by the Bill, the trade knew nothing about the maximum of compensation. The Bill pointedly, and with malice aforethought, omitted to state the maximum. He thought the Committee would agree with him that there was no such malign intention in the Act of 1904. It was intended under that Act that the trade should know where it was, and in the schedule was found a "maximum rate of charge," but he could not find those words in this Bill—a most significant omission. If they looked here for a word of that sort, corresponding with the Act of 1904, they found nothing at all. The word "maximum" was never mentioned, and that was the difference between the two Bills, which was a malign and premeditated difference. The point became still more acute because of the unfairness of the Government in making one part of the country pay for another. That was to say, that an innocent ward, with an average number of public-houses, would not only have to pay according to the Schedule, but might have to pay much more, and receive no benefit. That could never have been intended by the Government in their better moments, because even this Government had their good moments, though he must say their bad ones were much more numerous. But the Government could surely not have intended to give the authorities *carte blanche* as to the amount of levy. Great injustice might arise, because although there was a financial check provided further on in the section with regard to local option in Wales, no one could possibly tell, when once this scheme of compensation was set up, exactly what levy would be required. The Inland Revenue were going to assess the compensation. The Licensing Commission would have no more to do with the assessment than the man in the moon. What they were going to do was to fix the levy. If the Licensing Commission were ardent temperance reformers they might not be satisfied with the maximum levy. They could not directly impose anything more than the maximum levy for local option in Wales, but they might start the levy for statutory reductions with a much higher levy than that named in the Bill and so would have a large amount in hand for purposes of Welsh local option. There was nothing to prevent them from doing that. The Bill said they could impose any levy they considered necessary. He would like to know under these circumstances whether there was anything to prevent the Licensing Commissioners starting in that way—imposing a high levy and utilising the surplus thereby gained for local option in Wales. If there was not, this clause was a dangerous one indeed. It was going to be a further chastisement of the licensed trade not by whips but by scorpions. It was not fair that the Committee should be left in this uncertainty with regard to the levy. They had a right to demand what was to be the maximum amount of the levy for all purposes.

Which was the fairer of the two schemes—that of the Act of 1904, or that contained in this Bill? Under the Act of 1904 the trade itself paid the full compensation. The matter was put fairly before the trade, who knew the burden they would have to bear, and who accepted it, because the licensed houses which were left either directly or indirectly got the benefit of the reduced competition of those who were extinguished, and there was no time-limit. What was the policy of this Bill? A short reduction period, with local option besides, and a time-limit. And when the so-called compensation scheme was put into operation it was in so flagrantly unfair a manner that those in one part of the country received compensation from those in another from whom they were not entitled to get it. He contended that this Bill was brought in simply for the sake of knocking down, one after another, the provisions of the Act of 1904. It might be magnificent, but it was not business. This clause was an unfair one from beginning to end, and therefore he should give it his most uncompromising opposition.

THE SOLICITOR-GENERAL (Sir S. EVANS, Glamorganshire, Mid.) said that the points raised by the subsection were, broadly speaking, two. First of all, whether or not the fund to be raised by means of the compensation levy ought to be a national fund, and therefore administered by a central body; and secondly, what the levy ought to be. On these two general questions they must proceed on the lines adopted all through the Committee and the House, namely, that the policy of the measure, so far as it had already had the approval of the House, was that there must be a statutory reduction according to the scheme. That reduction was compulsory. The hon. Member who spoke last had again adverted to the injustice of raising a levy from a particular house for the purpose of extinguishing the licence of another house far away in some other part of the country. That was an incident which was inseparable from the Act of 1904. Any boundary they might take would raise inequalities of that kind. He had had complaints made to him over and over again in the county of Glamorgan that a new hotel in one corner of the county had to pay a large sum for compensating two or three small houses extinguished in another part of the county, without any chance at all of benefiting itself, because its licence would not be taken away. Certainly, when they took a boundary as big as a county those inequalities constantly occurred. The hon. Member for York had said that they ought not to raise a levy from a house unless it would be benefited by the reduction directly or indirectly. It was quite conceivable that two houses in different counties were so situated that, if the licence of one was extinguished, the other would benefit, whereas in the same county they could have houses so far apart that there was no possibility of one benefiting by the extinction of another. It followed naturally from the scheme of the Government Bill that, in having a uniform compulsory reduction, the levy ought to be contributed to a national fund. What ought that levy to be? On that point important considerations would arise. The levy they had specified in the Schedule was exactly the same as was provided by the Act of 1904. It followed, however, from their having placed upon the justices the obligation to make this compulsory reduction of licences, that, if the necessity arose, there should be no difficulty in the way of their performing the statutory reduction because there were no funds in the coffers of the Licensing Commission. Therefore, in the case of the statutory reduction, the levy might be conceivably increased, though they believed there would be little possibility of a larger levy for the purpose. It was provided in the Bill that, should the necessity arise, some increase might be made to the levy for the purpose of making statutory reductions. He thought the Committee would at once come to the conclusion that, at any rate for the first four, five, six, possibly seven years, there would be no optional reduction at all. The Licensing Commission, dealing with the statutory reduction, would have their hands full, and it really was probable that until they had had the statutory reduction there would be no great necessity for an optional reduction. They would not be permitted to allow an optional reduction under this Bill unless they had the funds already at their disposal, which could only be obtained as by the Schedule which appeared in the Bill. The hon. Gentleman who had just sat down had referred to the point that the levy would be made all over the country. Practically speaking, there was little difference between the provisions of this Bill and what was done under the Act of 1904. Except the compensation authorities of Grimsby, Great Yarmouth, Brighton, Bradford and Carmarthen, the levy was raised, to some extent, by every compensation authority throughout the kingdom. So, broadly speaking, the levy was raised all over the country. It was true that in a certain number of cases, thirteen, he believed, the levy of the licensing authorities had not come up to the maximum rate.

MR. ASHLEY asked whether Blackpool had now to pay compensation under this Bill for licences extinguished in London.

SIR S. EVANS said it followed from what he had stated that if there were houses to be extinguished Blackpool would have to pay compensation.

MR. ASHLEY asked whether that could be so, having regard to the population of Blackpool and the number of houses there.

SIR S. EVANS said he did not know what the population was, but whatever might be the amount realised by the levy all over the country it would go back only to the people who had contributed to the compensation fund. As he had pointed out, with the exception of the six cases he had mentioned, and the thirteen where a smaller amount had been raised, the levy had reached the maximum rate according to the schedule of the Act of 1904. Admitting that they were dealing with the counties, with the areas of the licensing justices, practically speaking they had the levy according to the maximum rate raised all over the country. With the few exceptions he had named, the operation of this Bill would be the same as under the Act of 1904. First of all, they provided that there should be a national fund; therefore, it followed that the national fund should go to the coffers of some body like the Licensing Commission, which would be a body, according to the Amendments the Government had on the Paper, responsible to Parliament. The Commissioners would pay compensation out of their funds according to the schemes prepared by the justices. Having regard to what they had already decided in reference to statutory reduction, they thought that the Commissioners should have the power, if necessity should arise, to increase to whatever extent might be necessary the scale in the Schedule.

Sir F. BANBURY (City of London) asked whether that power was given to Quarter Sessions under the Act of 1904.

Sir S. EVANS replied that it was not given to Quarter Sessions under that Act, because there was no statutory reduction at all. It was because the justices were compelled to make a scheme of statutory reduction under the Bill that power of that kind was necessary.

Mr. A. J. BALFOUR said they were very much obliged to the hon. and learned Gentleman for the effort which he had made to relieve their anxiety and doubts. There were still, however, some points to which he had referred, and some points to which he had not referred, on which he thought further discussion would be necessary. The hon. and learned Gentleman had begun by saying that even under the Act of 1904, or under this Bill which dealt with areas, some cases of inequality necessarily arose. Of course, nobody in the House would deny that almost self-evident proposition. In all those cases it must be a question of degree. They were dealing here with a question of degree. Take the instance of making roads in an agricultural county adjoining a county where minerals were raised. The roads of the agricultural county were used for the heavy mineral traffic from which the authorities of that county, who made the roads, derived no advantages. This, of course, was a great injustice to the ratepayers of the agricultural county. He quite agreed that, whatever branch of local government they were touching, whether it were connected with roads or asylums, or whatever it was, boundaries carried with them, and must inevitably carry with them, some tincture of the flavour of inequality. He did not ask the Government to do the impossible; he did not ask them to avoid every case of inequality, because that would be to demand what neither they nor any Government could satisfy. But he did think that they had a right to ask them to minimise inequalities. The hon. and learned Gentleman had quoted the case, apparently within his own knowledge, of an hotel in the town which he represented, and which, itself in no danger of being extinguished, had been called upon to pay compensation in respect of those licences which were extinguished. He was glad to hear that the hon. and learned Gentleman took an interest in hotels, because, as he understood the Bill, it put them in a position of the greatest peril, and he had not made the smallest attempt to safeguard their position. They had passed without discussion, because there was not time for it, sub-sections which dealt with these hotels. No Amendment had been put on the Paper safeguarding them, and he really was amazed at the courage of the hon. and learned Gentleman when he quoted the case of hotels as though hotels had suffered under the Act of 1904, whereas under the happy and beneficial action of the legislation now proposed they were to be saved from some of the dangers to which a rash Unionist Government had exposed them. He would like the hon. and learned Gentleman to look at some of the Amendments which they had put down safeguarding them, and he hoped at a later stage he would consider some of the very points which he had himself raised by his illustration. Let him turn to what he admitted was a question of degree; it was not less important because it was a question of degree. If they were dealing with places like Blackpool, where, if he correctly interpreted his hon. friend's interruption, there was not more than the number of licences required, and where, therefore, there would be no statutory reduction, did not the hon. and learned Gentleman and the Committee see that every licence-holder in the country would have a real grievance when he was asked to contribute not to the good of his own neighbourhood, not to the improvement of the area in which he lived, not to improve the condition of the town in which he dwelt, but to send his money to another region, perhaps not within 200 or 300 miles of where he lived, and to some other district for the purpose of abolishing superfluous licences there? In the first place, there was a very large number of cases where the owners of licences which remained had to pay compensation for the benefit of those whose licences had been extinguished. He did not say that that was universally the state of things, but it was a very common state of things. The owners of a licence in a particular county paid compensation, and the licence extinguished might be their own, while the house which benefited by the extinction of the licence might also be their own. In that case there was no feeling of hardship; on the contrary, the licences were extinguished without any great hardship to those who owned them. But these mitigating circumstances were absolutely destroyed by the method which the Government had gratuitously adopted, and now in the case of every licence-holder of whatever kind, whether he was one of those large national brewers who supplied beer to every part of the kingdom or a local brewer, whether it was a free house or one of those houses in which the licence-holder and the brewer were the same individual, the feeling of hardship created by this Bill would be inevitable and permanent. They would be compelled to subscribe for the abolition of licences in remote and unknown districts with which they had no connection whatever, and from which they could hope for no benefit. He thought that the hon. and learned Gentleman's defence, that in every system there must be some inequality and injustice, did not really meet the point. The amount of inequality and hardship was enormously and unnecessarily increased by this Bill; and, by the substitution of this paid trio sitting in London to manipulate these great funds, they had added a perfectly unnecessary element of hardship and injustice to the Bill, which, perhaps in the nature of things, must wear a harsh and unfair aspect. Who were principally affected by it? He was compelled to say on this branch of the subject that there was one *obiter dictum* of the hon. and learned Gentleman which they welcomed with satisfaction. The hon. and learned Gentleman said it was admitted by the Government that the scale of compensation given under this Bill was much lower than that given by the Act of 1904. The scale under the Act of 1904 was the market value of the premises. Though he was quite unable to extract a plain answer to a plain question on that subject from the hon. and learned Gentleman yesterday, he was glad that he had been accidentally betrayed into an admission which gave away the whole case. There were only two or three points on which he wished to ask questions of members of the Government. As he understood their proposals the levy could not be increased in amount for the purpose of dealing with optional reductions. There was nothing in this Bill to prevent either the magistrates in England or the popular body in Wales from voting for a diminution of licences to any extent above the statutory limit. The only check was that they would be told by the central trio that they could not have their way, because there was not enough money to meet the compensation which would be necessary. If that was so just, let the Committee conceive the position of the licence-holders who were under condemnation in some Welsh parish, and who were waiting until their brethren in other parts of the country had been bled to the point which would allow them to be abolished. He thought it was the First Commissioner of Works who had told them that when a licence-holder was under condemnation they could no longer expect decent conduct from him. Let the Government consider what the position of these men and of the Welsh parish would be. The Welsh parish had determined that in the interests of sobriety every place within their limits where liquor was sold, except off-licences and clubs, was to be abolished. It wrote up to the central trio to inform them of the fact. They got back the answer that the central trio were very glad to find that this zeal for temperance existed, but, unfortunately, there were no funds forthcoming by which their policy could be carried out. That put everybody in a false position, and a grossly unfair and hard position. That seemed to him to be an insuperable part of the Bill. He did not see how that was to be got over, except by inflicting an even greater hardship on the licence-holder, by giving the London trio power to increase the levy, not merely for the statutory diminution of licences, but for any eccentric and optional reduction which it might please the magistrates or the parish councils to insist upon. There was one other point on which he would like some satisfaction from the Government. As he understood the matter, it would be the business of the central trio to make an estimate of their obligations in the way of compensation. What was to happen if they made a wrong forecast? What was to happen, for instance, if they sanctioned the action of some Welsh parish, and informed them that a licence might be abolished, and then found they had inadequate funds for the purpose? If that was not provided for it was a very great mistake, because he understood the policy of the Government to be that no licence was to be optionally reduced unless there was actually money in hand with which to pay for it. He understood there was an estimate to be made of the obligations falling upon the central trio, and the money which was to meet them would be obtained under the Schedule. After all, the central trio were not likely to be better in their forecasts than the Chancellor of the Exchequer, and they knew Chancellors of the Exchequer were liable to great disappointments at some times and to very unexpected windfalls at others. But if it was a case of disappointment in regard to these central gentlemen in London, he did not see that there was any provision in the Act for getting over the difficulty. They could only obtain funds by an additional levy, not at present authorised upon the trade, or else by some contribution out of the central exchequer, both of which would be very inexpedient. The Government ought to provide some safeguard for this possible danger, and though it was a question of relative detail, on which the Government would be able to satisfy them later, it might be convenient to them if he were to ask whether they would explain clearly how they meant to deal with the contingency which, if not probable, was at all events possible.

*MR. BARNARD (Kidderminster) said it appeared to him that there were a great many points which would work out very harshly under the operation of this section. Under the 1904 Act in many places no levy was made at all, because it was agreed by most people that it was unnecessary, and there were many places which had altered in population so vastly that they would not come under the reduction clauses of the Bill. He quoted one alone—West Ham. If he understood it aright West Ham would not have anything approaching the number of licences that the Bill did not permit. It appeared to him extremely harsh that West Ham was for all time to be called upon to contribute towards that which, under no apparent possibility, would be required at that place. There were many little difficulties of a business character which kept asserting themselves in this Bill, and which unfortunately they did not get an opportunity of discussing. It was a very difficult position when they were to have 800 parishes in England and Wales, with under fifty inhabitants, who might be voting some one way and some another. In a large borough there would be wards. In the borough he represented with 20,500 people, it would be one vote and one vote alone. There did not appear to be any advantage in this great disparity, and he very much hoped the Government would alter their local option area. It would be a great deal better and sounder to state what was to be the maximum levy. The last Bill did that, and there was no reason why the present Bill should not do the same thing. He was very glad to hear the remark of the Leader of the Opposition when he said the Solicitor-General had admitted what they all knew, that the compensation awarded would in the future be upon a much lower scale than the present one. As far as he understood the situation, if they spoke it plainly and without trying to keep anything back, it amounted to this. The amount which under Schedule A they would be receiving would be greatly in excess of what they had been receiving before for purposes of compensation. There was no question that under this Schedule A treatment the trade would have to pay a vast amount more in rates, and a great deal more in compensation levy, and a great deal more in licence duty. Let the Committee compare what they had been doing under the 1904 Act. They had been reducing, at a higher scale of payment, about 1,500 licences a year. They required to reduce a little over 2,000 a year under the present Bill. If that was done it was pretty clear that they would before long have a very big surplus of money, if they levied under the present scale, and paid out under the proposal of the Bill. He put it very seriously to the Government whether they could not put in the Bill a provision to settle what was to happen to any surplus, if there was any, at the finish of this transaction. Was it to go back to the people who had paid it? It was highly desirable that something should be put into the Bill to say what was to be done with any surplus, because there would be very many hands wanting to grasp it. It was also highly desirable that if such indefinite and unknown powers were given to these three individuals, they should be told exactly what was to be the control over them. Parliament he knew had control, but he had heard remarks about the Irish Land Commissioners and others, which did not give a very clear idea as to how the control was always used. According to the way he looked at it, Part II. of the Bill did not limit their control. In one or two places it said: "The Commissioners may, with the approval of the Secretary of State and with the consent of the Treasury," employ a certain number of people, and so on. If it was proper to limit them in one way, if they were to be given such powers as these, they ought to have something definite which would clearly state to whom they were amenable, and what opportunities there would be of discussing what they were doing.

*The CHAIRMAN: I do not think that consideration arises on this clause.

Mr. BARNARD admitted that the Chairman was perfectly right, but his troubles had been so numerous in these respects that he had to take the opportunity of saying this in the hope that the Government at a later stage, when he would not have a chance, would give him an explanation

*Mr. YOUNGER (Ayr Burghs) said that under this clause the valuation must necessarily be largely increased and the increase in the amount of the levy in consequence would throw a very serious additional burden upon licensed houses. That was the first consideration which ought to be present to the mind of the Government in dealing with this clause. They ought to give some attention to the arguments that had been used in reference to these glaring inequalities. The obvious reason for the charge was that the money was wanted to carry out an extreme, but, as he thought, unnecessary rate of reduction. The rate of reduction was to be accelerated to such an extent that the sum required every year would be very great, and in their desire to effect this reduction the Government had to constitute a national fund, and go to the extent of placing the levy upon Schedule A valuation in order to increase its amount. This, coupled with the fact that this clause gave the Licensing Commission the right to increase the levy in order to make the annual income meet the annual expenditure, placed not only an impossible burden upon the trade, but left them in a most unfair position with regard to the pecuniary liabilities that were being placed upon them. How was it possible for them to provide a sinking fund to meet the loss of all those licences at the end of twenty-one years and also to pay an unlimited levy? The Government had never attempted to find out what precisely would be the effect of their reduction scheme. They had not the ghost of a notion whether 30,000 or 40,000 licences would be taken away, and he challenged the Prime Minister to give any grounds for his estimated figure of 30,000. It would be just as well to remind the Committee what the twenty-one years time-limit meant in the way of providing a sinking fund for wiping out the £120,000,000 that was supposed to attach to these licences. That was the figure given by the right hon. Gentleman the Member for Spen Valley, but they had not been told what portion of that sum represented the monopoly value. That remained in dark recesses of the Prime Minister's brain. Taking the annual return from these public-houses at 8 per cent. on the capital, a very extreme figure, it would give £9,600,000, and he found that the amount required to provide a Sinking Fund to wipe out the capital value at 4 per cent. for the twenty-one years would amount to 9s. in the £ on the annual produce of the premises. Supposing they were to double the income-tax, which was 5 per cent. or 1s. in the £, would there not be a great outcry? Yet the Committee was calmly proposing to put upon those people an obligation to provide 9s. in the £ upon the annual value for this purpose alone. This clause showed that the Government exhibited the same indifference—he might almost say spitefulness—towards the interests with which they were dealing, as had been shown in the earlier clauses of this measure. He hoped that members of the Government would realise that something ought to be done to define clearly the responsibility placed upon the trade under this particular section. As years passed the value of the licences to be compensated would be increased; the cheapest houses would go first, and no man could tell whether the levy would be anything like sufficient to meet the demands upon this fund after a few years had elapsed. In the event of the coffers overflowing after the first few years, and optional reductions, either by veto or otherwise, being decided upon, presumably the overflow not required for the purposes of the year might be utilised for paying compensation for those houses which would be reduced under the optional plan. What would be the position of the fund under those circumstances and what safeguard would there be against the trade being charged a second time in the event of the levy being insufficient in later years to meet the liability of the year? That was a question to which the Under-Secretary might address his very brilliant talents, for there was no man who could deal more clearly or lucidly with figures. He supported the omission of this subsection, (1) because it increased the present levy by changing the basis, and (2) because it left those concerned in gross ignorance of the position in which they would be placed by it.

*THE UNDER-SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. HERBERT SAMUEL, Yorkshire, Cleveland) said the ideal system might be the minimum of centralisation, under which compensation levy would only be collected from the people who competed amongst themselves, taking the parish, part of the parish, or even the street, or part of the street. That was a totally impracticable principle on which to act; it would involve something in the nature of a betterment charge limited to a particular neighbourhood, as was the case in municipal improvements. They could not administer funds collected and levied on that principle, and even the Act of 1904 made no such attempt. That Act did not pretend to take the neighbourhood over which the effective competition extended, but it took a county or county borough area. The compensation levy was used to buy out publicans twenty, thirty, or forty miles away, and in a completely different part of the area. Take for example, the County of London. If he was a publican trading in Kensington, and had to pay a yearly levy, he would not mind whether it was used to buy out a publican in Whitechapel or in Wales.

MR. YOUNGER: You would prefer Kensington?

*MR. HERBERT SAMUEL said he would naturally prefer a man to be bought out in his own street. In the majority of cases in the rural districts publicans had been paying levies for the past three years, and they had not been relieved of any effective competition by the Act of 1904. Therefore, it was impossible to proceed merely on the principle that they were going to pay a compensation levy in order to get rid of competition against themselves. They were going to pay a compensation levy in order to insure themselves against the loss of their licence, and that principle applied equally in this Act and the Act of 1904. The national area must be taken for the purpose of this Bill.

MR. YOUNGER: Hear, hear.

*MR. HERBERT SAMUEL said he was glad the hon. Gentleman admitted that.

MR. YOUNGER: You cannot help it.

*MR. HERBERT SAMUEL said that having decided by a former clause that there should be a statutory reduction in proportion to the population, this was an inevitable consequence. [OPPOSITION cheers.] Hon. Members opposite assented. Therefore, it would be inconsistent to carry this Amendment, and it must necessarily be ruled out. The reason why both sides of the House must agree on that point was obvious. If they imposed statutory duties on the justices in any particular district, they must provide them with the means of accomplishing it. If they limited the compensation fund to the amount collected in a particular area there might not be sufficient money to carry out the statutory reduction under the scheme of compensation provided for in the Bill. Granted that there must be a national fund; who was to manage it? They could not properly put a duty of this kind on one of the ordinary Government Departments for two reasons. In the first place it was only temporary work. It would continue, so far as compensation was concerned, merely for the period during which the compensation was being paid. Secondly, all the Government Departments were already fully occupied, and some of them, indeed, had more to do than they could properly overtake. If they were to put this work on the Home Office or any other Department it would be necessary to create a special staff, and it was better to create a new authority altogether. When hon. Members opposite wished to denounce this Commission in terms of withering scorn and utter contempt they said it was to be a paid trio sitting in London. What was the objection to having a paid trio sitting in London? That they should be paid was reasonable. They could not expect a body of men to perform duties of this character without reasonable salaries. It seemed to him reasonable that the number should be three. Why should they be more or less? And if they were to sit at all, London was the most convenient place. Of course the Commissioners would be men appointed on the responsibility of the Government. They would be men of integrity and ability and of a proper *status*, and they would be men to whom these interests might be entrusted safely. Another objection raised by hon. Members in this discussion was that the subsection did not limit the compensation levy to the present maximum. That, he thought, was in their view a greater objection than the other to the terms of the subsection. The Government had said again and again that it was impossible to form an exact estimate of the compensation which would have to be paid during the statutory reduction. If it were possible for hon. Members in a spirit of impartiality to examine this question, they would see that it was necessarily impossible to give an exact estimate. It was true that when Parliament was discussing the Bill of 1904 hon. and right hon. Gentlemen opposite did give estimates, but they were very unwise in venturing upon them, for events had shown the estimates to be sadly wrong. It was impossible to give any exact estimate, first, because they could not tell how far the present assessments for income-tax were too low. That could not be told beforehand, and, therefore, they could not make any exact calculation of the amount of compensation payable in any particular case. Secondly, because it was known that the value of licences would increase as time went on and licences were taken away.

MR. YOUNGER: Fourteen years will be the run of them.

*MR. HERBERT SAMUEL said it was difficult to make a calculation on the basis of the experience under the Act of 1904, because the value of the licences remaining would probably increase as time went on.

MR. YOUNGER: Does the hon. Gentleman suggest that the fixing of a limit will not seriously alter the market value?

*MR. HERBERT SAMUEL said he did not think he had made the point quite clear. It was a question as to the class of house chosen. If the licence of some small, decrepit public-house was taken away in the first year, and if in later years the licences of houses of better standing with larger trade were taken away, they had an element of uncertainty which made it impossible to form an exact estimate. And it was impossible to assess with any definiteness the exact sums which would be payable to licence-holders under the provisions of Clause 10, which dealt with the licensees and the compensation with respect to their loss of business, but general estimates had been formed which showed that there was no reason to anticipate the need of increasing the compensation levy.

Mr. AUSTEN CHAMBERLAIN (Worcestershire, E.): We want the information on which you have made those estimates.

*Mr. HERBERT SAMUEL said the estimates were formed in the ordinary way. They were general calculations of possibilities, and they contained many elements of uncertainty. They were not sufficiently definite to enable them to be laid on the Table of the House. The hon. Member for York, speaking the other day on the optional reduction under the Welsh clause, said there was no question whatever as to money being available for compensation for additional reduction under this Bill, and he stated that there would be an enormous surplus at the disposal of the Commission. He remembered the words distinctly, and at the time he thought they would come in useful later on.

*Mr. G. D. FABER said that for the purpose of statutory reduction under the Bill there was nothing to prevent a levy at a rate above the maximum in the schedule. Once they had got a surplus they could use it for optional reduction.

*Mr. HERBERT SAMUEL said he would deal with that subject in a moment. The hon. Member for Kidderminster who had made a great study of the Bill—not from a friendly standpoint—had estimated that there would be a considerable sum. Although the Committee had had from the Opposition many estimates and figures of a most astounding character, based on no data that could possibly be accepted for a moment, he thought the most astounding figure of all was that given by the hon. Member for the Ayr Burghs who said that the Bill would involve a compensation levy of 9s. in the £.

*Mr. YOUNGER remarked that he did not say anything of the sort. What he said was that that was equivalent to the sinking fund for the wiping out of the whole of the licences in twenty-one years. He complained that on the top of this charge they were placing unknown liability of an unlimited levy.

*Mr. HERBERT SAMUEL begged pardon; he understood the hon. Gentleman to say that 9s. would be the compensation levy.

*Mr. YOUNGER said he thought that would be 2s. or 2s. 6d. per £ of income.

*Mr. HERBERT SAMUEL regretted that he had misunderstood the hon. Member. The hon. Member for York had stated that the Commissioners might put on a levy beyond the maximum, and use the additional amount raised for the purposes of optional reduction in Wales or elsewhere. He did not know how that conclusion had been reached.

*Mr. G. D. FABER said everything would be in the air, *in nubibus*. Nobody would know what money would be wanted. The Commissioners might begin by raising their levy above the maximum rate, and thereby get into their treasury a larger sum than they would require for the purpose of statutory reduction. Having got that surplus, they would be entitled to use it for the purpose of optional reduction.

*Mr. HERBERT SAMUEL said that under the Bill they would be distinctly not entitled to use it for the purposes of optional reduction. They could not suppress, in the first two or three years, all the 30,000 licences which were to go, and then use the levy afterwards for optional reduction. That was impracticable for the Bill required the reduction to be spread over the whole period. The Leader of the Opposition had said that the Commissioners might make a mistake and think that they had enough money for optional reduction, and use it for that purpose in the first two or three years, and then have to make a levy above the maximum in order to make good the deficiency that would result. In the first years of the reduction the charge upon the compensation fund would be very much heavier than in the later years, the reason being that the number of years purchase which had to be paid for each house would be larger at the beginning and smaller at the end. There would be no question of any optional reduction in the first few years. After the first few years the Commissioners would be able to form an estimate, and in later years would be able to look round and see whether optional reductions could be permitted to take place. In the first three or four years the charges on the compensation fund would be so heavy that probably the Commissioners, so far from having money to pay for optional reductions, might have to borrow for the purpose of statutory reductions. They had borrowing powers. The point he wished to make was that those borrowing powers were only exercisable with the consent and by the co-operation of the Treasury, and the Treasury, as indeed the Commission itself, could be fully trusted to see that the terms of the statute would be fully complied with. The hon. Member for Kidderminster had raised the point that the Commissioners might have a large surplus at the end of the period, and he asked what was to become of that. The Commissioners were instructed so to arrange their levies that they would not have a surplus at the end. They might reduce their levies during the last years, so that the balance, one way or the other, would at the end be exceedingly small.

*MR. BARNARD: I contended that the words in the clause were not quite sufficient.

*MR. HERBERT SAMUEL said that if that were so, the matter could be considered when the words came up for consideration. Those Commissioners were fully under the control of Parliament. They would be appointed by the Government on its responsibility; and the Government would be responsible to the House. In the second place, their salaries would appear on the Estimates, and that would give Parliament an opportunity to supervise their actions. Thirdly, reports of their actions would have to be laid before Parliament annually. The Government held that the clause was not open to the criticisms passed upon it.

SIR E. CARSON (Dublin University) thought everybody would admit that the clause now under discussion was a very difficult clause and required careful consideration. His first objection was to setting up this Licensing Commission at all. He did not believe that the Under-Secretary would find any precedent in our law for setting up a paid Commission appointed by Government, with unlimited powers of taxation. That was what they were doing, he ventured to think, for the first time. They might say that taxation was limited by the number of houses taken away; but that was a very small limitation, because no member of the Government was able to tell them how much it was going to cost. He really thought that before the House proceeded to set up a paid Commission of whose qualifications they knew nothing very definite estimates at all events ought to have been put before the House as to how far that authority of taxation was likely to go. It was an abominable system to set up a Commission to do those duties and not to put proper directions, limitations, and terms in the Act of Parliament. He remembered very well, when the Bill of 1904 was going through the House, and they left the power of a rate, which they limited by express words, in the Bill, and gave that power to Quarter Sessions, the outcry raised against it, because they took away power from the justices of the district who were immediately in contact with the needs of the neighbourhood, was almost overwhelming. Now the great champions of democracy and of the local justices said that neither was it to be these local justices, nor was it to be the Quarter Sessions, nor was it to be Parliament, but it was to be the blessed Commission they were setting up that was to have this unlimited power of taxation. He thought that was a matter on which they on that side of the House must enter their firm protest. He did not think any justification for the system had yet been given. They did not even know who those gentlemen were going to be. He did not suppose that any gentleman connected with the brewery companies or any allied trade would be on it. He did not think that the Government would be allowed to appoint anybody but the merest partisan for the working of this Bill. What were those Commissioners going to do? The Under-Secretary, who always spoke with great clearness, himself saw the difficulty, and he simply played about by saying their objections to the Commission were that it was to sit in London and was to be composed of three. That was not their objection at all. They objected to the inherent nature of this tribunal, against whom there was to be no appeal. If the Commissioners said: "We require so much for the year, and therefore our levy must be so much in the £ of the valuation," there was no appeal, although in the most ordinary cases of fixing taxes there was always an appeal. Even on the question of the calculation of income-tax they could take the matter up to the House of Lords. Even in the case of death duties they could appeal. Here were these Commissioners—and he would show how uncertain their authority was—who could simply say: "We, on a survey of this matter before us, require so much, and call upon this particular trade to pay it," no limit being imposed upon them by Parliament. What were the Commissioners to levy this upon? They were to levy this rate in accordance with the valuation in Schedule A of the income-tax. Yes, but they had been told that Schedule A of the income-tax was going to be entirely altered by this Bill. [An HON. MEMBER: No.] They were told so yesterday; but probably the Government had changed their mind again. They were told that Schedule A was going to be on some new basis. [An HON. MEMBER: It cannot.] They certainly understood the Prime Minister to say yesterday that in estimating the proper valuation, under Schedule A, a very large number of the matters they said ought to be taken into account in estimating the value of the houses would be taken into account. If they were going to have a valuation *ad hoc*, that showed that they must have an entirely new valuation. If they were going to have a valuation under the old system, the valuation must remain where it was. And not only that; the new valuation must affect every other trade in the country. Look, then, at the position in which they found themselves. They did not know what this valuation was going to be. They had no idea of it. They were told it would be greatly increased; that was all they knew. Here again they increased the power of the Licensing Commissioners, because the Commissioners would be levying their rate upon an increase under Schedule A of the income-tax. Really, what his hon. friend behind him said was absolutely true: that no person carrying on his business at all would know where he stood. He would not have the slightest idea, in the first instance, upon what he was going to pay his insurance levy or, in the second place, what the Commissioners were likely to think in any one year was a sufficient sum to charge him. Was that a condition they should be in when the Bill left this House? He did not think a more monstrous proposal could possibly be conceived. Look again at the injustice to the owners of these houses with regard to the increase of this insurance money—for it was an insurance fund—it might be very greatly increased not only by the fact that the powers of the Licensing Commissioners were without limit, but also because the valuation was going to be increased. What was the result of that? They were going to increase a tax on the trade, and decrease the amount of insurance for which this tax was levied. Really, every line of the Bill, every way in which it was worked out, showed the determination of the Government that as far as possible, when they were going to reduce these public-houses, they should do it in the harshest possible manner and in the most unfair way towards the trade. The hon. Gentleman said that some of the difficulties would be met by borrowing. He could not see the necessity for borrowing. It might be quite right to have the power to borrow; but was it necessary? He could not believe so, because the Commissioners could exact as much as they liked. [Cries of "No."] But where was the limit? If the hon. Gentleman would tell him where the limit was, he would agree with him. If the First Lord of the Admiralty would tell him where the limit came in, he would be satisfied. He could not find it. The words to him were perfectly clear—

> "In respect of the renewal of all old on-licences, charges at such rates . . . as may be necessary for the purpose"

That was for the purpose of the necessary reductions. Where did the borrowing come in? The hon. Gentleman said that they would not require to use it so much, and they had already stopped it under the Act of 1904.

*MR. HERBERT SAMUEL said it was quite true that borrowing had been stopped by the Secretary of State, but not in order to block the operation of the Act of 1904. It was thought, in view of this Bill passing into law, it would be wrong to allow the borrowing to take place and the future compensation fund to be mortgaged.

SIR E. CARSON said as to that matter the Under-Secretary took one view and they took the other. As regarded this question of borrowing, he said there was no necessity for it at all, because there was unlimited power given to the Commissioners. Then the Under-Secretary said that it really was not open to them to discuss this question of area. He said for all purposes of the Bill it was absolutely unnecessary, in consequence of Clause 1. It was always the same. When they were on Clause 1 they were told to wait until they reached Clause 12, and then when they got to Clause 12 they were told that the question was dealt with in Clause 1. It was very unfortunate they did not get an opportunity of discussing it on the first clause. Was it really necessary for the purposes of the Bill? He did not see that it was. The question was one of substance. Here was the proposition of the Government—if the publican had a house in a neighbourhood where the number of houses had already been reduced to the maximum of reduction required by the Bill, the publican in that district must pay exactly the same as a publican who lived in a district where there was a very large number of redundant public-houses.

*MR. HERBERT SAMUEL: It is the same thing now.

SIR E. CARSON said it was not. Under the present system, if they had reduced the necessary number of houses in a county, which was the present division, then they stopped the tax for insurance. But under the Under-Secretary's provision, even when they were in a neighbourhood where all this had been brought about or existed, they went on with the tax. Moreover, the tax was an unlimited one, which was not an unimportant consideration under existing circumstances. The truth of the matter was, from the way they were framing this Bill, in Sussex a man who had a public-house, the only public-house which was allowed by the Bill in that place, was in exactly the same position as a man in a place crowded with public-houses. He had to go on paying year after year and also any increase necessary for the purpose of bringing the number of houses down. He did not think a man in Sussex would be satisfied when he heard that he had to go on paying in order to carry out the intentions of the Government in Yorkshire or any other place. He could not think why the existing system had been departed from, which allowed each of the districts to manage its own affairs. Certainly the magistrates in the district, or any other tribunal in the district, was, to his mind, far more satisfactory than any paid Commissioners sitting in London. But the hon. Gentleman said the whole of this system would be under the purview of Parliament. That really was of very little use. This Licensing Commission was without an appeal. Apparently any Member of the House could criticise it. But how was this House going to review the proceedings of this Licensing Commission? Supposing the Licensing Commissioners had a surplus and applied it to optional reduction, could they imagine anyone getting up in this House and tackling such a state of things? Anybody would laugh at him. It would be said at all events the Commission had the money in hand, let them go on reducing. The control of this House over a Commission of that kind was absolutely *nil*. It was only a pretence. It was not any real control. If they were to have any real control at all they had to set up some system of procedure in the Bill by which the proceedings of these gentlemen would be open to those who were concerned so that they could have their interests properly safeguarded. The Under-Secretary said the Licensing Commission was going to be the great success which the Irish Land Commission had been. Perhaps the hon. Gentleman did not know much about Ireland. He did not think he would find in any quarter in Ireland anybody who would say very much in favour of the Irish Land Commission, which he was afraid was at present in a condition that was almost hopeless. The truth of the matter was, on a question of this kind, perhaps the most important question in the Bill—the question of setting up these financial provisions and the tribunal that was to administer the finance of the Bill—very little attention seemed to have been given it by the Government. He submitted that even now it was worth while considering whether they would not go back to the system set up by the Act of 1904, and allow the district Quarter Sessions to administer their own funds and not to set up this Licensing Commission, which, apparently, would be responsible to nobody.

*Mr. GRETTON (Rutland) said that he did not propose to follow at any length the criticisms which had been made in regard to the Commission. The powers given to this body were set out in great detail in this clause, and they need not discuss them in detail on this Amendment, but he might say that he entirely agreed with what his hon. friend said as to the system under which it was proposed to proceed, being that of a Star Chamber, which was an innovation in the constitution of this country. The Under-Secretary, in a speech of candour and a great deal of interest, had explained that this Commission was subject to the review of Parliament, that the salaries of the Commissioners would come before this House, and there was to be a Report of their proceedings which would also be presented. Not one of these safeguards was to be found in the Bill, and there was nothing to prevent the Government, if they found themselves in a difficulty, taking the expenditure off the Votes and putting it upon the Consolidated Fund. It was said that the control was there, because the Commission was to be paid for by money supplied by Parliament, but throughout the whole of the Bill the only sum of money, in spite of the philanthropy of the Government, which could be said to involve a public charge was the salary of the Commissioners. That was philanthropy in the form of cheapness surely. The Under-Secretary tried to deal with the question of area, and he knew what he was saying when he said the minimum was best, as of course, it was. But the Government had taken a different course, and had chosen the maximum area—the whole of the kingdom. A clause which preceded this would involve a higher expenditure in Wales, and whatever might be said in favour of including the whole of England in one area for the purpose of raising this compensation fund did not apply to the inclusion of Wales. Then there was the question of the amount of levy. The argument had been put forward that the terms of the Bill were too high, but at all events, there would be a large sum towards the end of the reduction period which could be applied towards "optional" reduction of licences. There was nothing that he could see in the Bill which would prevent the Commissioners deciding to raise the levy to double the rate of the scale of the schedule, so that the whole statutory reduction might be ended in five or six years. There was nothing to prevent them doing so. The Government had not put it in their Bill.

Mr. MONTAGU (Cambridgeshire, Chesterton) pointed out that there was subsection (*b*) of Section 2 of Clause 6, which provided for the statutory reduction under the scheme of the licensing justices being distributed reasonably over the reduction period.

Mr ASHLEY inquired who was to judge what was reasonable.

*MR. GRETTON: It is left absolutely to the discretion of the Licensing Commission.

SIR S. EVANS: The licensing justices are to prepare a scheme which shall "provide for the statutory reduction being distributed reasonably over the reduction period."

MR. ASHLEY: Who is to be the judge of the reasonableness?

*MR. GRETTON said that as the Solicitor-General very well knew the word "reasonably" carried very little meaning in a statute. The Licensing Commission were the persons who would have to determine what was reasonable. The word "reasonably" in subsection (*b*), Clause 6, was no protection and put no limitation on the action of the Commission. If the Government did not intend this clause to be carried out in that manner it was for them to insert words that would make their intentions perfectly clear. It was characteristic of the whole way in which this Bill had been brought before the House that when pressed the Under-Secretary for the Home Department was unable to give any information as to how far the levy in the schedule would meet the requirements of statutory reduction. The Government had never been able to state, or even estimate, the number of statutory reductions they proposed to carry out. The Government had now in the Bill defined the areas of reduction for each district and there would be no difficulty, if the Government desired to treat the House fairly, in laying upon the Table a statement in which the reductions were worked out for each district according to the scale laid down in the Bill. They could very well say how many licences it was intended to extinguish. After that it would be comparatively easy to estimate the levy necessary to carry out the statutory reductions. He hoped the Solicitor-General would bear this point in mind and would find some means before the Bill reached Report by which this might be made clear.

SIR GILBERT PARKER (Gravesend) said the Committee had not yet had this matter clearly brought out. There had been an explanatory interruption but nothing more. The interruption was to the effect that the policy of the Government was made clear in Clause 6, subsection (*b*) which provided that the reduction should be distributed reasonably. But the next clause gave the licensing justices absolute power. For instance, there might be a district where the licensing justices held strong temperance opinions and they might prepare a scheme which provided for the reductions being reasonably distributed. But it might be that in their opinion the word "reasonably" meant that the greatest part of the reductions should be carried out in the first five or six years of the period. "Reasonably" and "proportionately" were two different things. If Clause 6, subsection (*b*) said "proportionately over the fourteen years" no difficulty would arise. But as he read the subsection the Licensing Commission might decide not to distribute the reductions proportionately, but that the word "reasonably" meant that the licences should be reduced in the first six of the fourteen years. It might be said that it was in the interest of the community that these reductions should be made in the first half of the period. Hence the Licensing Commission could start their levy at such a figure that after the first year it would leave them with a margin which would increase every year, and in that way a very evil and unjust levy would be made on the whole of the licensing trade of the country. If the policy of the Government was a proportionate reduction the clause did not make it clear. The hon. and learned Solicitor-General would serve the interests of the Bill if he would tell the Committee whether he thought it possible that the licensing authorities, acting on their rights under this Bill, would be able to reduce three-quarters or four-fifths of the licences during the first half of the statutory period. If they could do that under Clauses 6 and 12 as they stood, then, obviously, the professed policy of the Government, which was proportionate reductions spread over a period of fourteen years, was not being carried out. Many licensing justices, like hon. and right hon. Gentlemen opposite, no doubt desired that there should be local option as soon as possible in Wales, and they would throw their weight and power and influence into the scale in their anxiety to secure local option as quickly as possible. That was not what the Committee was led to believe was the policy of the Bill. He appealed to the hon. and learned Gentleman to make it quite clear in the Bill that the reduction of licences should be proportionately distributed over the whole period and not unduly effected in the first few years.

*Mr. TOULMIN (Bury, Lancashire) expressed the opinion that the levy should be a national and not a local levy. He considered that the Licensing Commissioners should receive the whole of the money, and the distribution should be all over the country. This alteration was one of the most important parts of the Bill. He favoured a levy over the whole area, as being most just to the licence-holders of the kingdom. The licences which were reduced might be far away from some which paid the levy; but he argued that the licence-holders in the area in which no licences were to be reduced were specially fortunate, but it must be remembered that they could not object, under the present law, to further competition being imposed upon them at the discretion of the licensing magistrates. Therefore, they were not entitled to be free from a levy which was intended to get the whole of the licence-holders out of the trouble they were in at the present time from undue competition through the granting of too many licences in the past. Where there were too many licences the licence-holders were suffering from undue competition, and to confine the levy to those areas where the licence-holders were suffering from the competition would not be fair to them. But they had no ground of complaint, for the licences had been put there by the public authority in the exercise of the discretion granted to them. Licence-holders, in his opinion, had no right to claim that they should receive a direct benefit from the levy extracted from them. That was not now so. In Lancashire, for instance, compensation levies might be taken from an area where no licences were reduced and paid in another, perhaps forty miles away, where those who paid the levy could not possibly receive any benefit from their contribution to the compensation to be paid for those houses which were to be closed. It was plain that it was very necessary that there should be some improvement of the Act of 1904, because in a very little time it would have worked most unequally over the whole kingdom. In some areas they would have been paying no compensation, and in others they would, perhaps, have to be paying for a hundred years before the licences could be reduced. He thought, therefore, that a levy spread over England and Wales was vastly to be preferred.

Mr. LAMBTON (Durham, S.E.) said that under this system of a national in preference to a local levy, a district where there were very few houses and perhaps no hotels, would have to pay heavy compensation for the London district. A district where the magistrates had done their duty and brought about a satisfactory state of things, would have to pay the same levy as a district in which there had been a great deal too much drinking. The system of levying compensation under the Act of 1904 was much more just. He could not see how the proposed appointment of Commissioners could be justified, though he knew it was a favourite plan of the Government, who had appointed Commissioners in the English Land Bill and in the Small Holders (Scotland) Bill, where the Commissioners had unlimited powers with appeal only to themselves. Under this Bill there was no appeal to anyone except the Commissioners, who were given aribitrary powers over the justices. They were referred by the hon. and learned Gentleman to Clause 6, Subsection (*b*) as safeguarding the situation, but he submitted, in regard to that subsection, that those best qualified to judge of the circumstances of the district, were the local justices. As had been pointed out by his hon. friend there was a very considerable difference in the circumstances of different parts of the country, yet these three Commissioners sitting in London, were to override the decision of the justices. and introduce schemes of their own, levying what charge they liked under Schedule A. The Solicitor-General said there was hardships even now in the county divisions, and gave an instance in his own county where an hotel had to pay compensation for other licences extinguished. If there were anomalies and difficulties in the counties, in making a national levy they increased them fifty-two fold. No answer had been given to the question, repeatedly asked, whether a special arrangement was to be made under Schedule A to apply to the licensed trade, and whether Schedule A was to be altered so as to be applied to every other trade in the country; but to-day the Solicitor-General said that they had made a mistake, and that the Government did not mean to make any alteration. Under the clause, and in the circumstances under which they had to discuss this Bill, it was impossible to arrive at a satisfactory conclusion. They had only two members of the Government present, for instance, the Solicitor-General, and the Under-Secretary for the Home Office, who certainly was often very lucid in his answers. He had told them just now that there would be a high levy for compensation under Schedule A during the first few years of the period, and then it would be reduced. He did not see what guarantee they had that it would be reduced. It might be raised above the maximum under this scheme of reduction, and it was not likely to be lowered again. It would be kept at the high level, and then the money would undoubtedly be used for optional reduction. The Solicitor-General told them that there were safeguards against such a result, but if that were so, then that was all the more reason why it should be made definite and clear now. The Committee ought to have some light and leading on this question. They had received no answer except a reference to future provisions of the Bill, and to this "triumvirate of tyranny." It was said that the Comissioners were to be under the control of Parliament, but all he could say was that they were going to have good salaries, and Parliament would have no control over them. The avowed object of supporters of the Bill such as the hon. Member for Appleby, was to reduce the number of public-houses by as many as possible. The hon. Member for the Appleby division had himself said that what he cared about was temperance, and not financial considerations. Such advocates of temperance were prepared to smash everything in a public-house which contained a drop of drink, and then to rob the till, and the Amendment of his hon. friend was to prevent the till's being robbed. The advocates of temperance were not confined to the other side of the House, while the advocates of justice were entirely confined to the Opposition, so far as he could see. Temperance he had heard mentioned during this autumn session, but never justice.

MR. ASHLEY said hon. Members of the Opposition had pointed out that there was absolutely no limit to the power of imposing a levy which was given to the Commissioners, and though Members on the Government Benches had given rather vague answers that there were some means of imposing a limit, they had not condescended to point out in what section that limitation appeared. He thought the Committee would get no enlightenment on this point until the right hon. Gentleman the Member for Spen Valley, who was really in charge of the Bill, condescended to come to the House and inform them as to what were the provisions of the Bill relating to this point. He objected most strongly to this clause, because it enabled the Commissioners to tax a particular class of people absolutely at their own sweet will, and the House of Commons had parted with the most valuable power it possessed, the power of taxation, which it always so jealously guarded. From what he had heard that afternoon, Blackpool, which was in his constituency, would be put in a worse position by this Bill. In its present circumstances, Blackpool would need no levy for reduction purposes, the number of licensed premises in the town being 100, while the population was 60,000. Blackpool, not having above the statutory number of houses it was thought right and proper to have, would be called upon to pay for every town and district in the country. He considered it to be a case of the greatest injustice that a town which had not too many public-houses, and which, under subsection (3) was entitled to more licences because of the large number of visitors it had in the season, under this Bill was going to be penalised simply because this levy was to be made over the whole kingdom, instead of, as in fairness it should be, over the smaller districts of the county. He protested on behalf of his constituents against this great injustice being done.

MR. AUSTEN CHAMBERLAIN (Worcestershire, E.) said he could cite even a harder case than that mentioned by his hon. friend, and it was one which arose in his own constituency. The hon. Member for Bury said that, in his opinion, the district which had already reduced its licences, or did not possess a number above the statutory limit, had no special claim to be exempt from the levy, and that it must be regarded as a favoured district. He gathered that the hon. Member's view was that it should rather be more heavily taxed for its virtue than relieved from the charge. He protested against that doctrine—a doctrine embodied in the Bill—on behalf of the city of Birmingham. He confidently invited sympathy from those who had been most interested in temperance reform and the reduction of licences, on behalf of that great city. What had happened? Before Parliament had taken steps to reduce the number of licences, the Birmingham magistrates had set to work to secure a reduction in that city. They entered into negotiations with the brewers—and let him say in passing on behalf of the tied-house system, that their procedure was only rendered possible because most of the houses in Birmingham were tied. The negotiations with the brewers resulted in a voluntary surrender by them of a number of licences fixed by the magistrates. Before Parliament had levied any compensation for a national reduction, the licensed trade in Birmingham, at the instigation of the magistrates, made a compensation levy among themselves and bought out the houses, the surrender of which was required. They were to have no credit for that work voluntarily done, by which they anticipated the intentions of Parliament and carried out three or four years in advance what Parliament only began to enact in 1904. In addition to having to pay for the suppression of so many licences in their own town, they were now to have an extra levy made upon them in order to extinguish licences in other places in which they had no interest, and from whose extinction they could reap no possible benefit. At the time this was going on temperance Members had no words of praise too high for the action of the magistrates and the trade in Birmingham, and were pressing on magistrates in other places to take a similar course, and he invited their sympathy for that city. They were doing bad work for temperance reform if they discouraged those who acted in advance of Parliamentary precedent and penalised them for so doing. Two arguments had been advanced from the front bench on behalf of the national rather than the local levy and application of the compensation. One consisted in saying it was a national Bill, and, therefore, the levy must be national. But the one thing did not follow from the other. They had no necessary connection whatever. They might have a scheme of compulsory statutory reduction throughout the whole country, but it did not follow that that reduction was to be paid for equally throughout the whole country without any regard to the circumstances of the locality or to the extent to which the compulsory scheme affected particular localities. That really was not an argument, but one of those excuses which Ministers sometimes used when they were very hard put to it to find an argument at all. The only argument really was that used by the Under-Secretary, that they must have a national levy because otherwise the funds might be insufficient for the statutory reduction. Why? They took power to raise the scale of charges for the compensation levy, but that could be done locally just as well as nationally. They could say that the levy on Birmingham should be whatever was required to reduce Birmingham to their limit. It was absolutely unnecessary that because they wished to have a single statutory scale, according to the population, throughout the country, therefore, in order to find funds for it the whole country should be made equally liable though the amount of reduction going on in different places was totally unequal. They ought to have some serious reason before so great and so inequitable a change was made.

The Solicitor-General had assured them there was no probability that the Commissioners would raise the levy beyond the scale in the schedule of the Act, because such a scale would give them funds adequate for the reduction of the licences. He asked the Under-Secretary to give them the estimates on which the Government based their assurance, and the hon. Gentleman told them the estimates were not fit for presentation to the House. Then what was the value of the assurance? The estimates, he imagined, were so speculative, and so little based upon any facts known to the Government, that they dared not lay them on the Table; they were not therefore fit to be the basis of their action, and they were entitled to say that what they were conferring on this Commission was a power of taxation which was unlimited, and for that there was no precedent. It was said that that power could be adequately controlled by the fact that the salaries of the Commissioners were to appear upon the Votes. How did they know they would ever be allowed to discuss those Votes? It might be inconvenient to put the salaries down. How, even if they reached the salaries, could they without any information or power to make accurate calculations, such as the Government refused to give, say whether their proposals were reasonable or not, whether they were acting *bona fide* or not, whether they were making errors or not? To offer them the discussion on the Estimates as a check upon the action of the Commission in this respect was indeed to invite them to lean upon a broken reed. The management of the Bill was so peculiar that it placed the Committee in the very greatest difficulty. The Government seemed to be constructed on the same principles as certain boards of directors which refused to have a chairman but where each member of the board took the chair in turn, with the result that no member had special responsibility, and as a general rule the business was not well looked after. They were always having snippets of information from a Minister who walked in and walked out again, and washed his hands of the future proceedings, and was ignorant of what took place before he entered the House and after he left it. The right hon. Gentleman the Member for Dublin University had made a statement, which was flatly contradicted by the First Lord of the Admiralty, who happened to be taking an interest in the Bill. Something had been said to the effect that the Commissioners would not exercise an unlimited right of taxation because they had powers to borrow, and that if the charge levied in a particular year was not sufficient they would meet the emergency by borrowing. His right hon. friend said there was nothing in the Bill to force them to borrow under such circumstances. That statement was flatly contradicted. His right hon. friend challenged the First Lord to point to the words of the statute which justified his contradiction. The First Lord retired under the Gallery and consulted the advisers of the Government, and then retired still further, and they had seen no more of him. Right hon. Gentlemen should either bring in the First Lord again, or else themselves take up the challenge and justify the First Lord's contradiction. It was dangerous to give an opinion on a Bill when one was liable to be told he had not read it. He had read it, suffering under the disability that he was a layman, but he could find nothing to justify the allegation of the First Lord of the Admiralty. All he found in Section 6 was that the scheme must provide for the statutory reduction being distributed reasonably over the reduction period. Who decided what was reasonable? Not the licensing justices. They prepared a scheme, but if the Commissioners did not like it they ordered the justices to alter it, and if they did not like it then they ordered them to alter it again, and even if they sanctioned it they might still return to the matter and again compel an alteration. It was always these Commissioners who had these very arbitrary powers conferred upon them. But spreading the number reasonably over the period was by no means the same thing as spreading the expense over the period. The Under-Secretary had told them that the expense would not be equally spread. On the contrary, the argument was that the expense of the reductions in the early years would be so gigantic that the Commissioners in those years would use every penny they were entitled to raise under the Schedule, and would not have the possibility of sanctioning any optional reduction in excess of the statutory limit. That might be true, but in that case it quite clearly showed that there was no obligation upon the Commissioners to distribute the expense equally over the period, and that they might raise, if they liked, very high charges indeed in the first year to meet the case of expensive houses, amounting to any sum they thought requisite for the purpose. Having pursued that course in a certain number of the early years, they might then have reduced a sufficient number of the expensive houses, and having charged more than the Schedule in the first year they were able within the Schedule to pay for optional reduction. That was the case presented to them by the Under-Secretary. He did not quite understand why the hon. Gentleman took it that the expense was going to be so heavy in the first years, unless it was in his mind that the Commissioners or the licensing justices were going so to arrange their scheme that the charge should be raised in those years with a view to giving them money for optional reduction in the later years.

Mr. HERBERT SAMUEL: The houses suppressed in the first years have a larger number of years purchase, whilst those suppressed later have a diminishing number.

Mr. AUSTEN CHAMBERLAIN said that threw a flood of light upon what the working of this Bill would be. The Government had devised a scheme to inflict the maximum penalty and give the least compensation to the trade with which they were dealing. Their idea was to deal first with the cheap houses which were the worst, and they would receive the maximum compensation. The best houses would be left in existence; they were the most valuable, and would have to pay the higher levy, and when their turn came round they would receive the least compensation. The lines appeared to be: "Pay as little as you can, and get as much as you can; inflict the maximum of injury, and give the minimum of relief." It was true that they had to pay more in the early years, because they had to give a greater number of years purchase. As that process went on, the individual houses would become more valuable in later years, but whatever they gained by the fact that they had fewer years to compensate for they might lose by having to compensate houses of much greater value. The Government really did not know what was going to happen. They gave reasons of the most speculative character, and refused to place their estimates on the Table of the House. He protested against dealing with great trade interests and great national questions by individuals, instead of by the vote of Parliament, in such a slipshod manner. He respectfully asked the Government to give a reply to the questions which the Opposition had put to them.

Sir S. EVANS said a large part of the criticism which had been made by the right hon. Gentleman the Member for East Worcestershire had been offered earlier in the evening by the Member for the University of Dublin. It was not accurate to say that the powers of the Commissioners would be unlimited in the matter of making the levy, for three reasons. In the first place, their power was limited by the Schedule in the Bill. [Opposition cries of "No."] That was so, because they had to deal with the statutory reduction. The only power which the Commissioners had of increasing the levy at all was in respect of licences which would be extinguished by the statutory reduction. Therefore, the first limit was that of the statutory reduction contained in the Schedule of the Bill. The second limit was that they had the scheme of the justices; and the third was the discretion of the Licensing Commission themselves, and that would be controlled by Parliament. He believed that the justices, in the first place, and the Licensing Commission sitting subsequently as a Court of reference or appeal, would do their duty honestly and fairly. It had been suggested that the licensing justices might recommend a wholesale reduction during the first four or five years, and that it would be necessary in consequence of the licensing justices' scheme largely to increase the levy. But that was not what the justices were directed to do by the Act, and that was not what the Commission would take into consideration when they came to revise the schemes of the justices. He would like to refer hon. Members to the section which imposed this duty upon the justices, which laid down that in any scheme they were to provide for the statutory reduction being distributed reasonably over the reduction period. Could anybody contend that a scheme which would reduce the whole number of licences which ought to be suppressed over the period in the first four or five years would be a reasonable one? It had also been suggested that whatever the justices might do there was always the overriding and absolute power vested in the Commissioners. There was nothing of the kind. If the hon. Member would refer to the words dealing with the powers of the Commissioners he would see that in Clause 6, subsection (4) it was provided that—

> "Every scheme prepared and every revision of a scheme made by licensing justices under this section shall be submitted as soon as practicable to the Licensing Commission for their approval, and that Commission shall consider the scheme or revision, and may, after consultation with the licensing justices, make such alterations (if any) therein as they consider necessary or expedient for the purpose of properly carrying into effect this Act."

Properly to carry this Act into effect meant to carry the reduction of licences over the reduction period. The members of the Licensing Commission would be people of *status*, and they could be trusted to do their work faithfully and honestly. The right hon. Member for Dublin University had said that the provision putting the actions of the Commissioners under the review of Parliament was a mere pretence and the effect would be *nil*. As the Bill was first framed, the remuneration of the Licensing Commissioners would come out of the compensation levy fund, but the Government had altered that, and the work of the Commission would come under the review of Parliament. Having done that, now they were told that it was a mere pretence and the effect would be *nil*. There were ample opportunities in this House of putting questions with regard to the conduct of anybody. The right hon. Gentleman the Member for East Worcester had omitted to give due importance to the 8th subsection of Section 14, which provided that—

> "The Commission shall, in every year, cause a Report to be prepared and submitted to the Secretary of State of their proceedings under this Act during the preceding year, and the Secretary of State shall cause the Report to be laid before both Houses of Parliament."

The situation was that, first of all, they had got a body of justices who were directed by Parliament to perform their duties in a certain way, and he assumed that they would perform them properly. Then there was the Licensing Commission, and the various precautions they had taken. The Commissioners must report to Parliament, and their salaries and remuneration would be subject to the vote of Parliament, and therefore there was the fullest possible power for Parliament to review the conduct of the Commissioners. It had been said that Schedule A was going to be altered, but he protested against anything of that kind being said. That Schedule was passed fifty years ago, and it was idle to say that they were going to alter it now. The hon. Member for Gravesend said the Licensing Commission had power to raise the levy in order to make a compulsory sweep during the first four years. It had been suggested that provision should be made for the magistrates making the reduction "proportionately" instead of "reasonably." Although there was not much difference in practice between the two words, if they used the word "proportionately" in the sense the hon. Member referred to, they would make it absolutely necessary for the justices to reduce one-fourteenth of the licences every year, dividing them into equal compartments. That was quite impracticable, and, therefore, they had used the word "reasonable." The hon. Member for Blackpool had referred to his own division. He was not sure that the borough of Blackpool would not suffer a reduction of licences under this scheme. According to the last Return, on-licences in the borough of Blackpool were put down at 101. With reference to Birmingham, everybody recognised the good work which had been done by the local licensing justices, but they were advised that Birmingham would suffer a reduction in licences under the scheme of the Bill. The right hon. Gentleman opposite had said that, because a certain number of licences had been taken away in Birmingham, it was unfair to place a further burden on existing licences there for the extinction of licences elsewhere. He would point out that the compensation levy was a burden which was placed on licensed premises by the Act of 1904, and he thought it had been everybody's experience that it was a burden which could very well be borne by those on whom it was put. Presumably, if any houses had been shut up in Birmingham, there had, to some extent, been an increased trade in the others. He used his words very carefully; otherwise he would be told that a reduction of licences did not mean a reduction of drinking. Therefore, they were better able now to bear the levy for compensation than formerly. Was it unfair, in those circumstances, to say that Birmingham must come into the general scheme and contribute towards this national fund? With regard to borrowing, the provisions of the Bill were a copy of the provisions of the Act of 1904 as they applied to quarter sessions.

Mr. AUSTEN CHAMBERLAIN said he did not dispute that quarter sessions could borrow. What the First Lord of the Admiralty said was that they would be compelled to borrow rather than raise the charges above the Schedule scale, and that that, as they understood the right hon. Gentleman, was in the Bill. They wanted to know where it was in the Bill.

Sir S. EVANS suggested that the misunderstanding had arisen through the use, or the supposed use, of the word compel. There was nothing in the Bill to compel them to borrow. They would know that the normal rate levied was that which was put in the Schedule. It was only because there might possibly arise a case where, by reason of the directions as to the statutory reduction, they might have to go slightly beyond that levy that they had put this power in. He thought the fears which had been expressed were fears which were raised in debate, which ever side in politics happened to be in opposition. He confessed that a great deal of the criticisms which were made when the Act of 1904 was passing the House from those benches, perhaps some of them coming from his own lips, had been falsified by the working of the Act. And he ventured to prophesy that many of the theoretical grievances, and many of the supposed inequalities and injustices and unfairnesses, which were proper things to bring forward as matters of debate, would be found to have not the slightest foundation in fact when the Act was actually in operation.

Mr. A. J. BALFOUR thought the Solicitor-General would feel that there was one point with which he had not thoroughly dealt. Let them grant, for the sake of argument, that these people were going to act reasonably—that the magistrates who were going to frame the schemes would act reasonably, and that the Opposition of the day, whoever might be in Opposition, would have full opportunity of criticising the action of the Commissioners and the magistrates. They were at present endeavouring to get a definition of what was reasonable, and that the Government had never attempted to tell them. It all turned on the rapidity with which the magistrates and the Commissioners agreed to abolish licences. The Government had refused to put in any words indicating that the reduction of licences was to be proportionate and evenly distributed over the fourteen years. They said that was impracticable. It might be, but he did not see himself why it was not practicable, unless the Government thought that a very rapid reduction in the first year, or the first two or three years was reasonable—a reduction far beyond the amount that would be reduced if they had an even reduction over the whole of the fourteen years. Why was it not reasonable? Why should not the Commissioners and the magistrates think it reasonable? It was not accusing the Commissioners of corruption. It was not suggested that the magistrates were men of evil mind if they said: "The Government of the day have laid it down that the number of licences in a particular district shall be such and such a number per 1,000 of the population. Let us not hesitate to make that reduction according to the principles laid down by Parliament in one, two, or three years. That is reasonable." He thought he heard an hon. Gentleman opposite say it was reasonable.

SIR S. EVANS: Reasonable over the reduction period.

MR. A. J. BALFOUR said the Government did not mean by "reasonable" proportionate. They did not mean an even curve. It was perfectly consistent with the teetotallers' view that nothing should be left to the end of the period. In fact, was he not right in saying that it was only consistent with the teetotallers' theory of reduction that the bulk of the reduction should take place in the early years, leaving a small number to the end? [MINISTERIAL cries of "No."] Could anybody say that was unreasonable according to the teetotallers' point of view? Certainly if he were a teetotaller he should say it was reasonable, and he should base himself on the Government view. It must be the teetotal view.

*MR. CHARLES ROBERTS (Lincoln) said that from the temperance point of view it was exceedingly important that the reduction should be gradual over the whole period. The indirect influence of the reduction process on the surviving license-holders was at least as important as the amount of reduction to which they were limited in the fourteen years. From that point of view they thought that the Government was absolutely right to distribute it equally, and not to get the reduction immediately.

MR. A. J. BALFOUR said he had listened with a mixture of gratification and surprise to the interruption of the hon. Gentleman. He thought the hon. Gentleman belonged to a party which desired at one time local option to stop every licence in the trade. Had the hon. Gentleman abandoned the Bill of 1895? Had he any right to speak for his teetotal friends? Was there any other prohibitionist in the House who would get up and say that he attached this magic value to the fourteen years? He thought the hon. Member would see that, whatever his own personal view might be, the only consistent view for the prohibitionists to take up was that they ought to approach the amount of abolition as permitted by the Bill as quickly as they could. That was the reasonable rate of reduction at which they ought to aim. That was the view which he should hold in their position, and as there were no words in the Bill defining the word "reasonable," and as the Government refused to say whether it was to be proportionate, he ventured to say that it was quite open, more than open, both to the magistrates and the Commissioners, to make, without anybody being entitled to call their action or motives in question, this immense reduction in the early period. Well, how were they going to make it? He understood the First Lord of the Admiralty most distinctly to hold that any large expenditure in the early years for the reduction of licences would be met by borrowing. There was nothing whatever in the Bill, supposing the policy adopted to be that of greater reduction in the early years, to suggest that that should be met by borrowing rather than by the adoption of a scale of levy far in excess of the scale in the Schedule. The result would be that in the early years they would greatly exceed the Schedule rate of levy. By exceeding the Schedule rate of levy they got a great deal of money out of the trade which they used for the rapid reduction of licences, and then, having made this near approach to the total amount of reduction per thousand contemplated by the Bill, they would evidently have an immense amount over to deal with optional reduction. If that course was pursued the result would be that the obvious intention of the Government would be defeated. That intention, as he understood it, was that they might exceed the Schedule rate in order to make the statutory reduction, but not in order to make the optional reduction. That policy would be completely defeated if the magistrates and the Commission carried out a course permitted by the Bill and undoubtedly suggested by the whole theory that temperance and reduction of licences went hand in hand—a theory rendered plausible by the fact that the Government were anxious to make the reduction of so many per thousand as quickly as they could. And with absolutely no limitations in the

Bill which the Government could point out to them it seemed perfectly evident that what they admitted to be an injustice—namely, an addition to the Schedule levy in order to deal with the optional licences, was not only a possible danger, but one that was extremely likely to occur. He had limited himself to a single point, and he ventured to say that so far no attempt had been made from the Treasury Bench to deal with that particular matter.

*Mr. TOMKINSON (Cheshire, Crewe) wished to say a few words on a subject on which the right hon. Member for East Worcestershire had dwelt at some length, viz., with regard to the inequalities which he said would be certain to result from the change of area for the compensation levy. But such inequalities and injustice—if any—already existed, especially in the case of large counties like Lancashire and Yorkshire, or even Cheshire, which, under the Act of 1904, formed one area for the compensation levy. The whole circumstances and conditions and manner of life varied in different parts of the county. In one part the licences were not numerous, either because they had never been granted, or because they had been already reduced, and yet they were taxed for the levy the same as other parts of the county. The right hon. Gentleman dwelt very forcibly upon the supposed injustice which would be involved in towns like Birmingham, where already a large number of houses had been reduced; but that reduction had been going on in many other places, like Liverpool, where the brewery companies who owned most of the houses made a voluntary agreement to give up some, probably the worst, of their houses. He would remind the Committee of a very remarkable fact in connection with the county of Hampshire. A committee of Quarter Sessions there, which was appointed to inquire into the matter, reported that in the town of Bournemouth, with a population of 70,000, there was only one licence to every 1,400 inhabitants, whereas in the county town of Winchester, there was a licensed house for every 140 inhabitants, or ten times as many houses per ratio of population as in Bournemouth. The magistrates were so much struck by that state of affairs that they said to the brewery companies who owned the houses in the city of Winchester that they must have a large reduction of the houses, and they called upon the companies to submit to the committee of Quarter Sessions a scheme of voluntary reduction, intimating that if that were not done the magistrates would proceed to reduce the number of houses themselves. The result was that the brewery companies came before the justices at the next sessions, and voluntarily offered to surrender fifty out of 100 licences without any compensation. That, however, was before the Act of 1904. After that Bill was introduced into Parliament, the licence-holders of another borough, who had previously made a similar offer to that of the brewery companies in Winchester, said: No, they would not surrender any licences without being compensated. His argument was that the compensating advantage for the surrender or extinction of some licences was that the rest were very much enhanced in value.

The CHAIRMAN said that the hon. Member was getting very wide of the Amendment.

*Mr. TOMKINSON said he would conclude by stating that he did not think that to change the area of levy and to make a national instead of a county levy would entail any hardship or injustice whatever.

Mr. SAMUEL ROBERTS (Sheffield, Ecclesall) said he wished to reply to one or two points raised by the Solicitor-General and the Under-Secretary, especially with regard to how this clause would affect the large county boroughs. The Solicitor-General had said that under the Act of 1904 those licence-holders who were left after the reduction did not benefit by the reduction; but he was entirely mistaken. Most of the houses in the large county boroughs were owned by local brewery companies, and when the extinction took place of one or more of the houses belonging to these companies the others belonging to the same company benefited because they got extra trade. That was the case also in small county areas. And why were the owners willing to pay the compensation levy? For three reasons. First, because they got some benefit by the extinction going on; secondly, because if the licences were taken away they got the market value which the Government under this Bill were not going to pay them; and, thirdly, because there was no time-limit. Under this Bill they were to be called upon to pay the maximum levy during the whole of the time-limit, and when the time was expired the licence was to be taken away unless they paid the monopoly value. These were the three reasons why on the whole the brewers were satisfied with the arrangement made by the Act of 1904. But by this Bill the Licensing Commission were to take away entirely the local powers that were given to the large county boroughs. It had been the policy of Parliament of late years to extend as far as possible the powers of the county boroughs, but this Bill would take away almost entirely the powers of the local justices and only leave to them the invidious duty of saying what licences were to be suppressed. They knew the character of the three gentlemen who had been appointed by this Government on the Licensing Commission. [Cries of "Oh!"] Well, he had an Amendment on the Paper—and he hoped the Government would adopt it—that one of these Gentlemen should be a lawyer. [Cries of "Order."] He would not pursue that subject because he would be called to order. But he was pointing out that under this Bill they were going contrary to the practice of Parliament, which had entrusted powers to the local justices of those boroughs and districts—the very men who knew the local circumstances, and what licences ought to be suppressed—and proposing to place that power in the hands of the Commissioners in London. That was certainly a grievance, and on behalf of those areas where a proper reduction of licences had already taken place, and where the owners had fulfilled their conditions, he protested against it. It was natural enough that those people who were willing to pay their own debt should protest against being called upon to pay the debt of other people all over England, as they would be under this Bill. It was not justice. The Government must on consideration come to the conclusion that their plan was not a just one in this respect, and for these reasons he had great pleasure in supporting the Amendment.

Question put.

The Committee divided:—Ayes, 242; Noes, 95. (Division List No. 296.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Adkins, W. Ryland D.
Ainsworth, John Stirling
Alden, Percy
Armitage, R.
Ashton, Thomas Gair
Asquith, Rt. Hn. Herbert Henry
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Sir John E. (Somerset)
Barlow, Percy (Bedford
Barnes, G. N.
Barran, Rowland Hirst
Barry, Redmond J. (Tyrone, N.)
Bell, Richard
Benn, W. (T'w'r Hamlets, S. Geo.
Bennett, E. N.
Bethell, Sir J. H. (Essex, Romf'rd
Black, Arthur W.
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Bryce, J. Annan
Buchanan, Thomas Ryburn
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Charles
Cameron, Robert
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cheetham, John Frederick
Cleland, J. W.
Clough, William
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W.
Compton-Rickett, Sir J.
Corbett, CH. (Sussex, E. Grinst'd
Cotton, Sir H. J. S.
Crooks, William
Crosfield, A. H.
Crossley, William J.
Curran, Peter Francis
Dalziel, James Henry
Davies, Timothy (Fulham)
Davies, Sir W. Howell (Bristol, S.
Dilke, Rt. Hon. Sir Charles
Duckworth, James
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunne, Major E. Martin (Walsall
Edwards, Sir Francis (Radnor)
Ellis, Rt. Hon. John Edward
Erskine, David C.
Essex, R. W.
Esslemont, George Birnie
Evans, Sir Samuel T.
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Foster, Rt. Hon. Sir Walter
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gladstone, Rt. Hn. Herbert John
Glen-Coats, Sir T. (Renfrew, W.
Glover, Thomas
Goddard, Sir Daniel Ford

Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Gurdon, RtHn. Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Harcourt, RtHn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardie, J. Keir (Merthyr Tydvil)
Harmsworth, R. L. (Caithn'ss-sh
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey, W. E. (Derbyshire, N.E.
Haslam, James (Derbyshire)
Haworth, Arthur A.
Hazel, Dr. A. E.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobhouse, Charles E. H.
Hodge, John
Holt, Richard Durning
Hope, W. Bateman (Somerset, N
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Isaacs, Rufus Daniel
Jacoby, Sir James Alfred
Jardine, Sir J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Kearley, Sir Hudson, E.
Kekewich, Sir George
Kelley, George D.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Lever, A. Levy (Essex, Harwich)
Levy, Sir Maurice
Lewis, John Herbert
Luttrell, Hugh Fownes
Lyell, Charles Henry
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk Bg'h
Mackarness, Frederic C.

Macnamara, Dr. Thomas J.
Macpherson, J. T.
M'Callum, John M.
M'Crae, Sir George
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Markham, Arthur Basil
Marks, G. Croydon (Launceston
Massie, J.
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morse, L. L.
Morton, Alpheus Cleophas
Napier, T. B.
Nicholls, George
Nicholson, Charles N. (Doncast'r
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
O'Grady, J.
Parker, James (Halifax)
Partington, Oswald
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Perks, Sir Robert William
Pickersgill, Edward Hare
Price, C. E. (Edinb'gh, Central)
Price, Sir Robert J. (Norfolk, E.
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rees, J. D.
Rendall, Athelstan
Richards, Thomas (W. Monm'th
Richards, T. F. (Wolverh'mptn
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, Sir John H. (Denbighs
Robertson, Sir G Scott (Bradf'rd
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rogers, F. E. Newman
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Samuel, Herbert L. (Cleveland)
Schwann, C. Duncan (Hyde)
Scott, A. H. (Ashton under Lyne

Seddon, J.
Shackleton, David James
Shaw, Charles Edw. (Stafford)
Sherwell, Arthur James
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Stanger, H. Y.
Stanley, Hn. A. Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Summerbell, T.
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Thomas, Abel (Carmarthen, E.)
Thomas, Sir A. (Glamorgan, E.)
Thomas, David Alfred (Merthyr
Thorne, G. R. (Wolverhampton)
Tomkinson, James
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Walker, H. De R. (Leicester)
Walsh, Stephen
Walters, John Tudor
Walton, Joseph
Ward, John (Stoke upon Trent)
Waring, Walter
Wason, Rt. Hn E. (Clackmannan
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Watt, Henry A.
White, Sir George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker, RtHn. Sir Thomas P.
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Llewelyn (Carmarth'n
Wills, Arthur Walters
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J. (York, W.R.)
Wilson, J. W. (Worcestersh, N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood, RtHn. Sir Alex.
Anson, Sir William Reynell
Balcarres, Lord
Baldwin, Stanley
Balfour, RtHn. A. J. (City Lond.)
Banbury, Sir Frederick George
Banner, John S. Harmood-
Baring, Capt. Hn. G (Winchester
Barnard, E. B.
Barrie, H. T. (Londonderry, N.)
Beach, Hn. Michael Hugh Hicks
Beckett, Hon. Gervase

Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Chamberlain, Rt. Hn. J. A. (Worc

Clive, Percy Archer
Cochrane, Hon. Thos. H. A. E.
Collings, Rt. HnJ. (Birmingh'm
Craig, Captain James (Down, E.
Du Cros, Arthur Philip
Duncan, Robt. (Lanark, Govan
Faber, Capt. W. V. (Hants, W.)
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest
Gibbs, G. A. (Bristol, West

Gooch, Henry Cubitt (Peckham
Goulding, Edward Alfred
Gretton, John
Haddock, George B.
Hamilton, Marquess of
Harris, Frederick Leverton
Hills, J. W.
Hope, James Fitzalan (Sheffield
Houston, Robert Paterson
Hunt, Rowland
Kennaway, Rt. Hon. Sir John H.
Kerry, Earl of
Keswick, William
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Lockwood, Rt. Hn.-Lt.-Col. A. R
Long, Col. Charles W. (Evesham
Long, Rt. Hn. Walter (Dublin, S)
Lonsdale, Walter Brownlee
MacCaw, William J. MacGeagh
M'Arthur, Charles
Marks, H. H. (Kent)
Mildmay, Francis Bingham
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
O'Kelly, James (Roscommon, N
Parkes, Ebenezer
Pease, Herbert Pike (Darlington
Percy, Earl
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Ratcliff, Major R. F.
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Renwick, George
Roberts, S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Ropner, Colonel Sir Robert
Rutherford, W. W. (Liverpool)
Scott, Sir S. (Marylebone, W.)
Smith, F. E. (Liverpool, Walton)
Stanier, Beville
Starkey, John R.
Strauss, E. A. (Abingdon)
Talbot, Lord E. (Chichester)
Talbot, Rt. Hn. J. G. (Oxf'd Univ.
Thomson, W. Mitchell-Lanark)
Thornton, Percy M.
Valentia, Viscount
Walker, Col. W. H. (Lancashire)
Walrond, Hon. Lionel
Warde, Col. C. E. (Kent, Mid)
White, Patrick (Meath, North)
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE NOES—Mr. Ashley and Mr. George Faber.

MR. CAVE (Surrey, Kingston) moved to insert after the word "optional," the words "or further." He put down the Amendment, he said, following the policy of endeavouring to find out exactly what the Bill meant. He had not yet been able to find out what provision was made for the payment of compensation to Welsh houses, which were reduced under the Welsh veto clause. Clause 12 provided for compensation for statutory reductions, and then for optional reductions, but it did not in terms provide for payment of compensation to houses which were reduced under Clause 9. At first sight, he thought the answer was to be found in Clause 9 itself, which provided that the licensing justices should prepare a scheme for carrying into effect the further reductions directed by the local option resolution, and the provisions of the Act as to schemes of statutory reduction should apply, but he could not think that that meant that all the provisions which applied to statutory reductions also applied to further reductions; because, if that were so, it would be plainly possible for the Licensing Commission to proceed to the consideration of any number of Welsh public-houses in any year, and to raise the levy without limit for the succeeding years. He thought there had been some omission in the clause, and for the purpose of finding out the intentions of the promoters of the Bill he begged to move.

Amendment proposed—

"In page 7, line 31, after the word 'optional,' to insert the words 'or further.'"—(*Mr. Cave.*)

Question proposed, "That those words be there added."

SIR S. EVANS thought the Amendment was a drafting one, and if pressed very hard, he did not mind accepting it, although he thought the clause was much better without it. There were two kinds of reduction, and only two. The first was statutory, and the next optional. When a reduction was made, if ever it were made, under Clause 9, it would become statutory. Subsection (1) of Clause 9 answered the observation of the hon. Member with reference to what the provisions were regarding further reductions of the Welsh houses. Statutory reductions, with regard to everything except finance, included "further" reduction, so that the object of the Amendment was met.

MR. A. J. BALFOUR asked if there was not a question of policy beyond that of mere drafting. Statutory reduction was to be paid for by levy of any amount. He always understood that statutory reduction was limited to the proportion of so many licences per 1,000 inhabitants, beyond which it could not be extended. Now he understood that in Wales they might go to any extent beyond that proportion of so many licences per 1,000 inhabitants, and they would still be statutory reductions.

SIR S. EVANS said the answer to the right hon Gentleman was that those reductions were provided for once and for all in Clause 9. The right hon. Gentleman might not have observed that with regard to the finance of the question they were to be put on the same footing as optional reductions. If this Amendment was withdrawn he would, if necessary, amend the section. It was merely a question of drafting.

Mr. CAVE pressed his Amendment, as it would have an important effect on the following subsection, which at present contained no limit at all on the levy for further reduction.

Sir S. EVANS accepted the words on the distinct understanding that they were to be further considered.

Amendment agreed to.

Amendments proposed—

"In page 7, lines 32 and 33, to leave out the words 'the remuneration and expenses of the Licensing Commission.'"

"In page 7, line 35, after the word 'Act,' to insert the words 'for which provision is not otherwise made.'"—(*Sir Samuel Evans.*)

Amendments agreed to.

Mr. CAVE proposed to insert the words "and not exceeding," after the word "as" in line 40, the object being to limit the amount of the levy in any one year to the amount set out in the schedule. These words already appeared in the Act of 1904. If it was true that it was not intended that the Licensing Commission should raise in any area anything substantially over the amount specified in the schedule, the only possible risk that the Government could run, in accepting these words, was that by some miscalculation some small excess of the amount specified in the schedule might be required. But even that difficulty could, he believed, be dealt with by the provision in the Bill for borrowing money. If the power of the Commission were not definitely limited a very serious risk would be imposed on the owners and holders of property; for the Commission could levy for statutory purposes any sum it pleased, provided that the sum was apportioned between the houses. It was because the levy was absolutely unlimited and because of that serious risk to the owners of these houses that he moved this Amendment, so that every man could know where he was and the worst that could happen to him.

Amendment proposed—

"In page 7, line 40, after the word 'as,' to insert the words 'and not exceeding.'"—(*Mr. Cave.*)

Question proposed, "That those words be there inserted."

Sir S. EVANS pointed out that this point had been considerably discussed during the afternoon, and he hoped to be relieved from repeating anything he had already said. For reasons already given, he was afraid that he could not accept the Amendment. Regarding the borrowing powers of the Commission, he reminded the Committee that the security of the compensation fund was required for Treasury advances.

*Mr. YOUNGER characterised the explanation of the Solicitor-General as the most astounding that had been heard in the Committee. Both the hon. and learned Gentleman and the Under-Secretary for the Home Department had stated that there was no probability of the maximum scale being exceeded, and that the fears expressed by Members of the Opposition had no substance. If that was so, why not put in these words? Their insertion would be a test of the sincerity of the arguments of the hon. and learned Gentleman and his colleague, and if he refused to accept the Amendment then the Committee would know how far he was sincere in this matter.

*Mr. BARNARD expressed the hope that the Government would put in these words. The Committee had heard a good deal of the reason for the refusal to accept the Kennedy award, that the public-houses were under-assessed. If there was any validity in the contention that the assessment of public-houses was all wrong and that the Schedule A assessment had been adopted to rectify it, it must be clear that the Schedule A assessment would result in a much larger sum of money being obtained than was before received. If that larger sum of money was to be got and if they were to pay out, not under the old system, but under the revised method which undoubtedly would result in much less being paid, it was just to compare the 1904 Act with the present proposals. The 1904 Act got rid of 1,500 licences a year. This Bill would get rid of 2,400 licences a year during the fourteen years reduction period. If more money was received and less paid out it was obvious that there would be a balance from that source. If that was the case, what could be the reason for not inserting these words? After all that was said and done it was not public money that was being spent in this way, and it certainly seemed reasonable that the persons who found the money should have some voice in the spending of it.

MR. G. D. FABER said the Opposition were justified in saying that the Government in the person of the Solicitor-General, by refusing this Amendment, confirmed everything the Opposition had said in the course of the debate. There must be something beneath the surface, seeing that the answer of the hon. and learned Gentleman was not sufficient and satisfactory. The Solicitor-General, when it suited his purpose, was ready enough to quote the Act of 1904 in the matter of borrowing powers. The right hon. Gentleman the Member for the University of Dublin had asked why the borrowing powers were put in the Bill, and the reply was that they were put in the Act of 1904. That was perfectly true, but why had the Government not put into the Bill of 1908 the words of the Act of 1904, imposing the condition that the levy should be to a certain limit and no higher? The Government adopted certain provisions for one purpose, but when it came to the great danger of the maximum levy being exceeded, as it would be under this Bill, it was pointed out that the danger was guarded against by the Act of 1904. They had never had an answer to their questions. There was nothing to prevent the Commissioners during the early years from making a levy which would exceed the maximum set down in the schedule, and if the words proposed by his hon. friend were accepted they would put a stop to anything of that kind. The levy could be doubled, and the Commissioners could utilise the balance which remained to them for the purpose, in succeeding years, of having both English optional reduction and Welsh local option. He had no doubt that was the object and desire in the minds of the Government, or they would have accepted as a matter of course the most reasonable Amendment put forward by his hon. and learned friend. There was no doubt that his hon. and learned friend would go to a division in order to record the view of the Opposition.

MR. JAMES HOPE (Sheffield, Central) said the Solicitor-General had stated the case on behalf of the Bill with the most conspicuous courtesy and good nature, but courtesy and good nature were not everything. A man might smile and smile, and still remain a Law Officer. He must say that he thought the courtesy and ingenuity of the Solicitor-General were somewhat more conspicuous than his application to any direct argument in support of the Amendment. Could the hon. and learned Gentleman say that there was any provision in the Bill for preventing a scheme, set up by the bench of licensing justices and approved by the Commissioners, which would bring the licences in any area down to the statutory limit within the period of five years from the passing of the Act? He submitted there was no provision whatever. The only defence put forward was the use of the word "reasonable" in the earlier section. The only argument put forward that night was that the justices were to prepare a scheme for the reduction of licences to be spread over a reasonable time. But when they came to the interpretation of the word "reasonable," might he ask the Solicitor-General what sanction there was for the Licensing Commission to approve a scheme of reduction which indicated that the operation of it was to be spread reasonably over fourteen years? Could it be taken into Court?

SIR S. EVANS: I think we could *mandamus* them.

MR. JAMES HOPE said that if they could *mandamus* the Licensing Commission, that was a very valuable admission, and he would like to have it confirmed by other legal authorities.

He wanted to put this case quite clearly. Supposing a bench of licensing justices put forward a scheme whereby a very large number of licences would be reduced in the first few years, would it be possible for anyone in the district to apply for a *mandamus* saying that the justices did not provide for the reduction being reasonably spread over a number of years, that it would upset the trade of the district, and that it would upset the social arrangements of the district? Could it be argued in the High Court that the scheme was not a reasonable one within the meaning of Section 6? He would be glad of the view of the Prime Minister on that point, because the right hon. Gentleman was not altogether a layman; he had not forgotten his law, though he professed to have done so when the amenities of debate required. If what the Solicitor-General said was true, then, of course, there was an entirely new light thrown on the functions of the Licensing Commission. But he confessed that he was not altogether satisfied with the mere *obiter dictum* of the Solicitor-General on that subject. To come to another point, what was going to happen in case of a miscalculation on the part of the Licensing Commissioners? Supposing the Commissioners agreed on a Budget which in fact they were not able to carry out. It was extremely probable that that might happen. Many interpretations had been put on the famous subsection (*b*) of Clause 6, but at any rate the operation of that subsection, in combination with the section they were now discussing, was extremely obscure. He submitted that many miscalculations must necessarily arise when the clause was put in operation. The Commissioners might give their sanction to a scheme which would take a number of years to put into execution, and he thought it was admitted that as regarded statutory reductions there must be mistakes; therefore he supposed that the Government did not want the levy to be limited because they realised that it would be impossible for the Commissioners, with the best will in the world, and with the best information possible, to be quite sure that the ordinary rates of levy would be sufficient to meet the changes in any year. He presumed it was admitted in regard to the statutory reduction that there might be mistakes, and that in consequence of the miscalculations it might be necessary to make a higher levy. Then there was the more difficult point as to optional reduction which was additional to statutory reduction. Suppose that the Commissioners considered the scheme for statutory reduction, and calculated that after several years there would be an ample margin whereby there might be optional reduction, whether by the magistrates or by local veto. They would have already given their sanction to the scheme of statutory reduction, and when the first proposal for optional reduction came before them it would perhaps have to wait. At last, however, they would think that it would be possible to carry it out and sanction it, but they would not know for certain what would be the cost of the statutory scheme, and in the meantime assessments might have gone up. If the assessments had gone up in the meantime the compensation would be greater than they had calculated or had been led to believe; so they might find that, when the actual time came for the optional scheme which they had sanctioned, the statutory reductions had exhausted all the funds available on the ordinary scale of levy. The question which he wished to put was this: What would be the position in regard to the scheme of optional reduction which the Commissioners had sanctioned when it came to the point that owing to the raising of the assessments in the meantime the amount payable in respect of statutory reduction was higher, and there was no money for the scheme of optional reduction to which they had given their sanction in the expectation that there would be an ample margin left? He submitted that, in the words of the section, once they had given their sanction it would be necessary to carry it out, even if they had to put the compensation levy above the maximum scale. Subsection 3 contained the words—

> "The licensing justices, if they consider, after taking into account any then existing or prospective liability for compensation (including compensation in respect of any optional reduction which may be sanctioned), that they will be able to meet the payments for compensation involved by the proposals without imposing

the compensation levy at rates exceeding those set out in the Second Schedule to this Act, shall give their sanction to those proposals, but not otherwise."

That was to say that they were to consider, and if they came to the conclusion that they could carry them out, they should give their assent; but once they gave their sanction, whether rightly or wrongly, he submitted that the words made it absolutely necessary that the reductions should be carried out, and if they were to be carried out they would necessarily involve an additional levy. If the Licensing Commissioners gave their sanction to schemes, and there was nothing to prevent it, based on a false estimate, they were bound by this section to carry them through, and to impose more than the maximum charges, although it was the consequences of their own fault. He submitted that it was the proper and the only construction of the section; and it was in order to obviate the possibility of the injustice of an extra levy coming in under the section, simply through the miscalculation of the Licensing Commissioners, that his hon. and learned friend's Amendment was necessary, and he trusted even now would be accepted by the Government.

SIR F. BANBURY (City of London) said this was one of the most important Amendments which had been brought forward. He congratulated his hon. and learned friend on the foresight with which he had acted all through the Committee stage, culminating in his bringing forward this particular Amendment. It must be evident to everybody that the most important question to be considered was the manner of levying the compensation and the amount to be levied. Who ought to be the authority to determine that? Was it to be the House of Commons or a central trio not yet created, sitting in London with absolute authority over the purses and business and livelihood of these unfortunate people which hon. Gentlemen opposite sought to destroy? Whether it was right or wrong to have a statutory reduction, it must be right that Parliament, which created the statutory reduction, should also create the levy and fix the amount of the levy to be raised. The Act of 1904 was always quoted by hon. Gentlemen opposite when it suited their purpose. When desiring to refuse an Amendment, they said it was not in that Act, and they could not have it now. He had asked whether there was any limit in the Act, and the hon. Gentleman replied: "No, because there was no statutory reduction." He would ask the Home Secretary if he had made this statutory reduction without considering the result of that reduction. Had the Government not made any calculation as to the cost of the statutory reduction? It was based on proportion to population, and the calculation must be perfectly easy. When they were dealing with a great trade in which £120,000,000 were invested, it was only the duty of the Government to see that proper calculations were made, to know where they were going, and that they were not running blindly down an incline, and putting all the awkward questions into the hands of the sacred trio who were to decide the fortunes of these unfortunate people. He presumed they had made the calculation, because they had put Schedule 2 in the Bill. The hon. Member who had last spoken had alluded to another point which bore upon this particular question. They were told there was to be a statutory reduction, and that there were to be other reductions. The safeguard for these other reductions held out by the Government was that no other reductions would be made if there were not sufficient funds to meet them, and when they asked how it was to be determined whether there were sufficient funds or not, they were told the power to increase the maximum rate was not allowed to the Licensing Commission in respect of optional reduction or of local option in Wales. He would suppose the Commissioners actuated by the best motives, determined to make a levy—indeed, they were bound to do so; they made the calculation which had not apparently been made by the Government, or was not given them, and they came to the conclusion that the sum to be raised in the first two years was, for the sake of argument, £20,000,000. They raised this amount, and in order to get it, they found they had to exceed the maximum. Having done that, they found that in the two years all they spent was £15,000,000. What were they going to do with the other £5,000,000? Was it not evident that if there was a scheme prepared by the justices for further optional reduction or by the local option authority in Wales for further reduction, these people would say to the Licensing Commission: "You have £5,000,000." The Solicitor-General said they could not devote the money raised by a levy above the maximum to either of these purposes. How was he to know that the particular £5,000,000 was the result of the levy above the maximum? Were they going to earmark it and say to a man: "You are the holder of a licence. The maximum levy is £100 a year. We are going to make it £120." How were they going to earmark in two years time which of that £120 had been spent in the reduction of licences? Was it the £20 extra, or the £100. Talk about calculations! It would be absolutely impossible for the Licensing Commissioners to carry on their accounts or their business if they were to do that. Whatever the Solicitor-General might say as to the safeguard on the part of the Government to prevent these additional reductions being provided by rates levied above the maximum amount, no possible statement of that sort in the House would prevent in two or three years time that amount of money being spent, if it was available, on the reduction of licences beyond the statutory limit. He believed it was beyond the talents, great as they were, of the hon. and learned Gentleman to give him an answer to that statement. It was perfectly impossible for any result to occur other than that which he had stated. He hoped the temperance reformers in the House would pause a little in their crusade against the liquor trade. Would it not be enough to have injured them almost vitally without cutting their throats altogether? Surely the statutory reduction was sufficient during the fourteen years. Why, by a side issue like this, should they endeavour to provide for a further reduction? Let them have the courage of their opinions. If they thought the statutory reduction was not enough, let them say so, and make a bigger levy and a greater reduction, but not allow poor people to suppose they were going to be limited to a certain number, when, as a matter of fact, very different results might happen.

MR. REMNANT (Finsbury, Holborn) thought the debate would show the importance of allowing time for discussing the Amendments to the Bill. Thanks to the closure, many important Amendments had already been passed, and they had had no opportunity of discussing them, and in reference to this one he was quite sure the Solicitor-General would, after the debate had taken place, agree that it was one well worthy of consideration. Might he join in the tribute to the courtesy and ability with which the Solicitor-General had met them all through the discussion on the Bill? He congratulated the Government on having selected him to take charge of the Bill. The Solicitor-General had said it would be impossible to borrow beyond the compensation fund, but loans could be made on the future instalments of the levy under the Bill. Loans, it was true, had not been allowed by the present Government under the 1904 Act.

[The remainder of the speech was inaudible in the Press Gallery on account of a disturbance in the Ladies' Gallery, where two ladies had chained themselves to the grille and endeavoured to address the House in favour of woman suffrage. Eventually the ladies were removed.]

MR. RAWLINSON (Cambridge University) supported the Amendment. If there was nothing behind the action of the Government in this matter surely they ought to see their way to accept this Amendment. He had the greatest mistrust of judicial tribunals appointed for a temporary purpose. He submitted that the second Schedule was absolutely useless unless they limited it by an Amendment such as the one they were now considering. Let the Committee consider for a moment the grounds for alarm which existed amongst the licensed trade. What were the grounds? Look at the position they were putting the trade in. They had a schedule which provided that there should be a certain rate levied, and they gave the power to levy that rate not to Parliament, or to the licensing magistrates, but to a new body called the Licensing Commission. Such Commissions were contrary to the general spirit of the English law, and did not inspire the same confidence that ordinary tribunals did. Almost any Bill which the Government brought in carried with it a fresh appointment and set up a fresh tribunal. The Licensing Commission not only possessed the power to levy a rate in accordance with the schedule, but they had power to levy absolutely without any sort of limit at all. That would be the position under the Bill unless this clause were amended. The Commissioners had power to levy a far larger rate than was necessary, and there was a temptation put upon them to make a larger levy and there would be no difficulty about doing it. Surely the magistrates were the best judges upon this question. The Solicitor-General had said a *mandamus* could be obtained to carry out a scheme. He submitted that that could not be done, and that if the Commissioners acted unreasonably the High Courts had no power to interfere in order to declare that it was not the intention of the Government that the trade should suffer in this particular manner. He had not taken any part up to the present in the debates on this Bill, and he would not have addressed the Committee on this occasion but for the very strong point which this Amendment offered to him to put before the Government. He trusted the Government would see their way to accept the Amendment. The clause was leaving to an *ad hoc* authority called the Licensing Commission a discretion which ought not to be left to any tribunal.

Sir S. EVANS said he was not quite sure whether his hon. and learned friend was present during a former discussion in which this point was fully discussed. The obligation being upon the Commissioners, they must have the necessary power to carry out the statutory reduction, and they must have funds. That the justices might make a miscalculation was the reason why the Commissioners would have power to examine all schemes.

Mr. JAMES HOPE said he referred to a mistake by the Commissioners.

Sir S. EVANS said that if both justices and Commissioners made a mistake the scheme would become operative and against those upon whom was the duty to carry it out a *mandamus* would lie as in every other case; the merits of the scheme could not be discussed. Whether there was a miscalculation or not the scheme would have to be carried out under *mandamus*. He had not the slightest doubt that separate accounts could be kept for statutory and optional reductions, and there would be no difficulty in distinguishing the amount available for the one and the other. The optional reductions would not be part of the scheme. If there was any reasonable doubt whether the optional reductions could fairly be carried out, the Commissioners might, under Clause 12, attach such conditions as they thought fit as to postponement. Earlier in the evening he made general observations as to the security there would be in the character of the Commissioners, and he suggested the Committee might now come to a decision.

Mr. YOUNGER welcomed the frank admission that the reason a limit could not be placed on the levy was that there must be enough money to carry out the scheme. The Government had not the ghost of an idea how much money it would take. They ought by this time to have got in every licensing district proper statistics regarding the urban and rural areas, the population, and the exact number of licences, but they had not done so. They were asked by him in the beginning of March to get the information, but they had not got it. The Government were not treating the House in a respectful fashion in failing to inform themselves as to one of the most important parts of the Bill. The explanation of this carelessness and negligence was that the Government did not take their own Bill seriously. That was his view. He could not think that, if they did take it seriously, they would have left the Committee in ignorance on this important question. He thanked the Solicitor-General for his courtesy and frankness.

Sir F. BANBURY did not think that the Solicitor-General had given an effective answer. Supposing that the hon. and learned Gentleman was correct in saying that it would be possible to keep the two accounts separately, he maintained that there was nothing in the Bill to prevent the trio of Commissioners from so dealing with the accounts as to apply a portion of the levy made for the statutory reduction to the purposes of optional, or the Welsh reduction.

Mr. JAMES HOPE said the explanation of the Solicitor-General had not left the matter altogether clear. He understood that if the Commissioners made an error in their budget, and the money would not carry out the scheme, still the proposals would be carried into operation.

Sir S. EVANS: Subject to the power of revision.

Mr. JAMES HOPE was in doubt if the words of the section would carry that out. The proposal being sanctioned, the Commissioners would have no alternative but to make a levy in excess of the maximum. He gathered that the last word on the interpretation of the word "reasonable" would be with the Commission, and there was absolute necessity for the Amendment.

Question put.

The Committee divided——

When the House was being cleared for the division, a man in the Strangers' Gallery jumped to his feet, threw a bundle of papers on to the floor of the chamber, shouting: "Why do not you do justice to women and the unemployed?" "Votes for women." He was immediately removed.

Ayes, 69; Noes, 197. (Division List No. 297.)

AYES.

Aeland-Hood, Rt Hn. Sir Alex. F
Arkwright, John Stanhope
Ashley, W. W.
Aubrey-Fletcher, Rt. Hon. Sir H
Balcarres, Lord
Balfour, RtHn. A. J. (CityLond.)
Banbury, Sir Frederick George
Banner, John S. Harmood-
Baring, Capt. Hn. G. (Winchester
Barnard, E. B.
Barrie, H. T. (Londonderry, N.)
Beach, Hn. MichaelHugh Hicks
Beckett, Hon. Gervase
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Carlile, E. Hildred
Cave, George
Clark, George Smith
Clive, Percy Archer
Collings, Rt. Hn. J. (Birmingh'm
Courthope, G. Loyd
Craig, Charles Curtis (Antrim, S
Du Cros, Arthur Philip
Duncan, Robert (Lanark, Govan
Faber, George Denison (York)
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Gibbs, G. A. (Bristol, West)
Gooch, Henry Cubitt (Peckham)
Goulding, Edward Alfred
Gretton, John
Guinness, Hon. R. (Haggerston)
Guinness, W. E. (Bury S. Edm.
Haddock, George B.
Harrison-Broadley, H. B.
Hills, J. W.
Hope, James Fitzalan (Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Kennaway, Rt. Hon. Sir John H.
Kimber, Sir Henry
Law, Anrdew Bonar (Dulwich)
Lockwood, Rt. Hn. Lt.-Col. A. R.
Lonsdale, John Brownlee
Marks, H. H. (Kent)
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
Nolan, Joseph
Pease, Herbert Pke (Darlington
Randles, Sir John Scurrah
Remnant, James Farquharson
Renton, Leslie
Renwick, George
Roberts, S. (Sheffield, Ecclesall)
Ropner, Colonel Sir Robert
Rutherford, W. W. (Liverpool)
Stanier, Beville
Talbot, Lord E. (Chichester)
Talbot, Rt. Hn. J. G. (Oxf'd Univ
Thornton, Percy M.
Valentia, Viscount
Walker, Col. W. H. (Lancashire)
Walrond, Hon. Lionel
Warde, Col. C. E. (Kent, Mid)
White, Patrick (Meath, North)
Young, Samuel
Younger, George

Tellers for the Ayes—Mr. Rawlinson and Mr. Lane-Fox.

NOES.

Abraham, William (Rhondda)
Adkins, W. Ryland D.
Ainsworth, John Stirling
Allen, Charles P. (Stroud)
Armitage, R.
Ashton, Thomas Gair
Astbury, John Meir
Atherley-Jones, L.
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnes, G. N.
Barran, Rowland Hirst
Barry, Redmond J. (Tyrone, N.)
Bell, Richard
Benn, W. (T'w'r Hamlets, S. Geo.
Bennett, E. N.
Bethell, Sir J. H. (Essex, Romf'rd
Black, Arthur W.
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brooke, Stopford
Bryce, J. Annan
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Charles
Cameron, Robert

Sir F. Banbury.

Cawley, Sir Frederick
Cheetham, John Frederick
Clough, William
Collins,SirWm.J.(S.Pancras,W
Compton-Rickett, Sir J.
Corbett,CH(Sussex,E.Grinst'd
Cotton, Sir H. J. S.
Crooks, William
Crosfield, A. H.
Crossley, William J.
Curran, Peter Francis
Dalziel, James Henry
Davies, Ellis William (Eifion)
Davies, M. Vaughan- (Cardigan
Davies, Timothy (Fulham)
Davies,SirW.Howell(Bristol,S.
Donelan, Captain A.
Duckworth, James
Duncan,C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Edwards, Sir Francis (Radnor)
Evans, Sir Samuel T.
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Hall, Frederick
Harcourt,Rt.Hn.L.(Rossend'le
Harcourt, Robert V.(Montrose)
Hardie, J. Keir(Merthyr Tydvil
Harmsworth, Cecil B. (Worc'r.)
Harmsworth, R L.(Caithn'ss-sh
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey,W.E.(Derbyshire,N.E.
Haslam, James (Derbyshire)
Haworth, Arthur A.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hodge, John
Holt, Richard Durning
Hope,W.Bateman (Somerset,N
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Jacoby, Sir James Alfred
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Kekewich, Sir George
Kelley, George D.
King, Alfred John (Knutsford)
Lamb, Ernest H. (Rochester)
Lambert, George
Lever, A. Levy (Essex,Harwich
Levy, Sir Maurice
Lewis, John Herbert
Luttrell, Hugh Fownes
Lyell, Charles Henry
Macdonald, J. R. (Leicester)
Macdonald, J.M.(Falkirk B'ghs
Macnamara, Dr. Thomas J.
Macpherson, J. T.
MacVeagh, Jeremiah (Down,S.)
M'Crae, Sir George
Maddison, Frederick
Markham, Arthur Basil
Marks,G.Croydon(Launceston)
Massie, J.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Montgomery, H. G.
Morse, L. L.
Morton, Alpheus Cleophas
Murray,Capt.Hn A C.(Kincard.
Nicholls, George
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
Parker, James (Halifax)
Pearce, William (Limehouse)
Pickersgill, Edward Hare
Price, C. E. (Edinb'gh, Central)
Price,Sir Robert J.(Norfolk,E.)
Radford, G. H.
Raphael, Herbert H.
Rees, J. D.
Richards,Thomas (W.Monm'th
Richards, T.F. (Wolverh'mpt'n
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson,SirG Scott (Bradf'rd
Robinson, S.
Roch, Walter F. (Pembroke)
Russell, Rt. Hon. T. W.
Samuel, Herbert L. (Cleveland)
Schwann, C. Duncan (Hyde)
Seaverns, J. H.
Seddon, J.
Shackleton, David James
Shaw, Charles Edw. (Stafford)
Shaw, Rt. Hn. T. (Hawick B.)
Sherwell, Arthur James
Silcock, Thomas Ball
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Stanley, Hn.A.Lyulph (Chesh.)
Steadman, W. C.
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Summerbell, T.
Sutherland, J. E.
Thomas, Sir A. (Glamorgan,E.)
Thomas,David Alfred(Merthyr)
Thompson, J.W.H.(Somerset,E
Thorne, G. R. (Wolverhampton
Torrance, Sir A. M.
Toulmin, George
Verney, F. W.
Walker, H. De R. (Leicester)
Walsh, Stephen
Walters, John Tudor
Walton, Joseph
Ward, John (Stoke upon Trent)
Wardle, George J.
Wason,JohnCathcart (Orkney)
Waterlow, D. S.
Watt, Henry A.
White, Sir George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker,Rt Hn.SirThomasP.
Wiles, Thomas
Williams, J. (Glamorgan)
Williams,Llewelyn(Carmarth'n
Wills, Arthur Walters
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J. (York, W.R.)
Wilson, J. W. (Worcestersh.N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Yoxall, James Henry

TELLERS FOR THE NOES—Mr. Joseph Pease and Master of Elibank.

MR. CAVE moved to insert in page 8, line 3, after the word "optional" the words "or further." This Amendment, he said, was really consequential on another Amendment which had been already accepted.

Amendment proposed—

"In page 8, line 3, after the word 'optional,' to insert the words 'or further.'"—(*Mr. Cave.*)

Question proposed, "That those words be there inserted."

SIR S. EVANS said he accepted the Amendment.

Amendment agreed to.

MR. JAMES HOPE moved an Amendment to provide that any proposals for optional reduction, involving the payment of compensation by the Licensing Commission, should not be carried out until the Licensing Commission had considered "all" the proposals from the financial point of view. The object of his Amendment, he said, was to carry out what the Solicitor-General said was the intention of the Government, viz., that no invidious priority should be given for optional reduction in one part of the country over another. When they discussed this subject on an earlier clause he had in view that there was a probable danger that certain bodies of magistrates in their zeal for reduction might put forward their proposals with great haste, bring them before the Licensing Commission and get them accepted, so that other proposals from different parts of the country would have to wait their turn, because of the first proposals having drained away all the money available for compensation. The Solicitor-General on that occasion said there would be no priority. He himself doubted very much whether the words in the section lower down would ensure that. However, as the Solicitor-General stated that that was his intention, he begged him to make certain that that intention would be carried out. As to the consequential Amendment, he did not adhere absolutely to its terms. All he wanted was that the Commissioners should review all the schemes for reduction put forward by a certain date and consider them, not by themselves but compare them with one another, and that they should not be unduly hasty in deciding upon any particular scheme. He hoped the Government would accept the Amendment.

Amendment proposed—

"In page 8, line 6, after the word 'considered,' to insert the word 'all.'"—(*Mr. James Hope.*)

Question proposed, "That the word 'all' be there inserted."

Sir S. EVANS said that the effect of the Amendment would be to prevent the possibility of any optional reduction taking place until all the proposals had been considered at the end of fourteen years.

Mr. JAMES HOPE said what he meant was the proposals in any one year.

Sir S. EVANS said that that was not the effect of the Amendment as it stood. The effect of it would be to limit the discretion of the Commissioners, which the Government did not desire to do. Even if the effect of the Amendment were that the optional proposals should be considered year by year, the probable result would be a scramble among the justices as to which should first get in their proposals, whereas it was the intention that full discretion should be given to the Commissioners. In practice the result of the Amendment would be that while they were dealing with the statutory reductions the Commissioners would be forced to hold their hands in order to see how they would stand from a financial point of view. Therefore, he put it to the hon. Gentleman that if his Amendment were carried it would have the the contrary effect to what he desired.

Mr. JAMES HOPE said he was afraid the hon. and learned Gentleman had not appreciated altogether the point of his Amendment. What he wanted to put forward was that if the Licensing Commission were to consider yearly all the schemes put forward in that year it was obvious they could not do that unless the schemes came in by a certain date. He maintained, practically, that the schemes should come before the Commission during the first half of the year; then in the second half the Commission could review these as a whole, and see whether they could be carried out in view of the financial means at their disposal. If that was done, there could not be any undue scramble, because there would be a fixed period for sending up schemes to the Licensing Commission. All he wanted to secure was that there should be no undue priority. The Government was pledged to that, and that pledge would not be carried out unless some such Amendment was accepted.

Mr. A. J. BALFOUR thought the Solicitor-General must be conscious in his own mind of the importance of the Amendment. The hon. and learned Gentleman said the Amendment was in the wrong place, and did not carry out the intention. Let them come from the exact words of the Amendment to the substance of the policy his hon. friend proposed. The point to be borne in mind was that there was unlimited money for the purpose of dealing with the reduction that they had already passed—money that might be required from the trade for the purpose of reducing the number of licences to the statutory proportion. That money could be divided compulsorily among the existing holders of licences. When they came, however, to the optional licences they came to a different problem. The optional licences could only be dealt with by the surplus that remained after the statutory reduction had been dealt with. There was, therefore, only that financial margin to go on to make the optional reductions which localities might desire. Supposing one licensing area in the north of England had asked for so many reductions, another in Wales had asked for so many,and so on. These came in piecemeal, and the resources of the central committee were quite insufficient to meet all the demands. How were they going to allocate their money between them? He found that a difficult problem, and that it was not solved in the Bill was quite clear. Before he ventured further to criticise what seemed to him to be a gap in the Government scheme, he would like to know exactly how the Government would deal with these competing schemes. How were they to be compared and balanced one against another? He was assuming, in the first place, that the claims did not come in at one time; and in the second place, that the total amount of claims in the year was greater than the amount of money at the disposal of the central committee would meet. Neither of these hypotheses was extravagant in itself. If they did occur, on what principle did the Government think the central committee would dispose of the funds?

*Mr. HERBERT SAMUEL said this was not a point which could be met by any machinery which could be inserted in a Bill. The Commissioners must deal with it as a matter of administration, just as Quarter Sessions did now in dealing with the competing claims in their areas. Every year the Quarter Sessions had this problem before them. The Quarter Sessions had either by conference with the licensing justices beforehand, or else by taking the claims into consideration after they had been sent in, to decide how far they could be met. If, however, it was clear at the outset that there would be no money for optional reductions, he had no doubt notification to that effect would be made by the Commissioners, and so no schemes would be sent in. As money was available so schemes would come before the Commissioners, who would see in what proportion they would be able to accede to the requests made to them. If the Amendment was accepted let the Committee mark the absurd result that would follow. In the first year of reduction there was to be no statutory reduction at all. If this proposal were put into operation in the first year the Commissioners would be obliged to spend all their money, the whole of the levy, over £1,000,000, on optional reduction schemes which might have come before them. He was sure that was not a result the hon. Member desired, but it was certainly the result which would follow his proposal. Apart from that, the proposal would inevitably lead to a scramble between the benches in the country which might want optional reduction to place their schemes before the Commission at the earliest moment, and would not give the Commissioners an opportunity of taking into account the prospective liability as to optional reduction.

Mr. CAVE said that with great respect to the hon. Gentleman he did not think he had given due weight to the difference of language in the Act of 1904 and in the present Bill. Under the 1904 Act, Quarter Sessions had a right to select between competing proposals for the reduction of licences. They had an absolute discretion to deal with them as they pleased. But under this clause, supposing the fund amounted to £1,000,000, and £700,000 was required for statutory reductions, that would leave £300,000 available for optional reduction. Supposing there were schemes sent in during the year for optional reduction to the value of £600,000, where was the right of the Commissioners to select among these schemes those with which they should proceed? On the express terms of the Bill they were bound to proceed with them, but if there was not money enough they could not proceed with any. Were they entitled to choose between the different schemes? What right had they to give a preference to any? Therefore he held that the Commissioners should be able to consider the applications at certain definite periods, and use their discretion as to which they should grant. This was not merely a drafting matter, though he thought the drafting faulty in this respect. It was a matter of substance, and he thought before the justices sent in schemes they ought to know how they would be dealt with—whether there was to be this sort of scramble or whether there was to be allotted a time within which the schemes ought to be sent in. He thought there was a great deal to be said for this Amendment.

Mr. A. J. BALFOUR said he was really very reluctant to trouble the Committee, but he was quite convinced that anybody who thought over this matter would see that there was a great difficulty facing the Government, which they had not made the smallest attempt to meet. So far as the Commissioners had to deal with the statutory limitations it was simple enough, but after they had spent all the money which was required to deal with the statutory reduction, they then came to a number of applications, already sent in, and, what was more, they were conscious that a large number of other applications were going to be sent in for optional reduction. They had only a certain amount of money at their disposal, namely, the balance over that required for the statutory reduction. It was all important if this scheme was to work that this surplus should be divided fairly and equally between the various districts which asked for optional reduction. Wales, for instance, had special facilities for adding to what were really optional reductions. Other districts might have magistrates anxious to overstep the statutory limits of reduction. How on earth were the three gentlemen in London—he did not use the words "in London" offensively, as was suggested by the Under-Secretary; one might be in London and yet be a very respectable man—but how on earth were three gentlemen in London to settle the allocation of the balance, which by hypothesis was less than the total sum required, or which they thought was going to be required, unless they had before them all the elements of the problem which had to be dealt with? They had to divide money amongst a larger number of applicants than the money would go round. How could they apportion the share of each fairly unless they knew the conditions of the district and what applications were going to be made to them, and unless they had an opportunity of considering the local interests of districts which asked for optional reduction? He did not think the Government had quite to ched the point. In the two explanations they had given they had not attempted to deal with the point. Under the conditions in which they were discussing the Bill they could not allow this opportunity to go without learning from the Government how they meant to deal with the difficulty he had explained. It might be that the Amendment was not qualified to meet the special difficulty, but there was a difficulty, and that the Government had not so far shown how it was to be met must be obvious to anyone who had heard the course of the discussion. He hoped the Government would really explain their views of the problem, to the solution of which he should be glad to give any assistance in his power.

Sir S. EVANS said it was admitted on all hands that the matter raised by the hon. Gentleman and argued so forcibly by the right hon. Gentleman could not be dealt with in the manner suggested by the Amendment or anything like it. Therefore, he was asked to state the views of the Government as a general topic of debate. The matter had not been overlooked by the Government, and he could assure the right hon. Gentleman that the vigilance of his supporters was such that the question was raised some days ago and then debated. He did not think in practice there would be any difficulty at all. There would be nothing in the shape of priority given to the various proposals which would come before the Commission. If they accepted the recommendation and put into the Bill what the Commission were to do, they would create endless difficulties. If they appointed a Commission to deal with a matter which required discretion and consideration from every point of view, it was far better to trust to their discretion than to say definitely what they were or were not to do. He believed they would deal equitably and impartially with the claims. It would be impossible for them to deal with all the claims in one year, and it was much better to trust them to deal with the whole matter in fairness to all concerned. Subsection (3) provided that in any case the Commission might attach to the sanction such conditions as they thought fit with regard to the postponing and carrying out of the proposals. That indicated to them that they must consider the whole circumstances. His answer to the right hon. Gentleman was that it was better, instead of attempting to lay down in an administrative matter of this kind exactly what they were to do, to leave the matter in the discretion of the Commission which they were about to appoint.

MR. JAMES HOPE wished to know why, if there was to be unlimited discretion in the Licensing Commission, the word "shall" appeared in line 14 of page 8, because, as he understood it, as long as they could see their way clear to find the money they would be bound to give effect to any proposals before them; that was to say, up to the point to which the proposals could be met. If the hon. Member wanted to give them unlimited discretion he must accept an Amendment changing "shall" into "may."

Question put.

The Committee divided:—Ayes, 80; Noes, 226. (Division List No. 298.)

AYES.

Acland-Hood, Rt. Hn Sir Alex. F
Anson, Sir William Reynell
Arkwright, John Stanhope
Ashley, W. W.
Aubrey-Fletcher, Rt. Hn Sir H.
Balcarres, Lord
Baldwin, Stanley
Balfour, Rt. Hn. A. J. (City Lond.
Banbury, Sir Frederick George
Banner, John S. Harmood-
Baring, Capt. Hn. G (Winchester
Barnard, E. B.
Barrie, H. T. (Londonderry, N.)
Beach, Hn. Michael Hugh Hicks
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Cave, George
Clark, George Smith
Clive, Percy Archer
Collings, Rt. Hn. J. (Birmingh'm
Craig, Charles Curtis (Antrim, S
Doughty, Sir George
Du Cros, Arthur Philip
Duncan, Robert (Lanark, Govan
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Gooch, Henry Cubitt (Peckham)
Goulding, Edward Alfred
Gretton, John
Guinness, Hn. R. (Haggerston)
Guinness, W. E. (Bury S. Edm.)
Haddock, George B.
Hamilton, Marquess of
Harrison-Broadley, H. B.
Hills, J. W.
Houston, Robert Paterson
Hunt, Rowland
Kennaway, Rt. Hn. Sir John H.
Kimber, Sir Henry
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Lockwood, Rt. Hn. Lt.-Col, A. R.
Lonsdale, John Brownlee
M'Arthur, Charles
Marks, H. H. (Kent)
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
Nolan, Joseph
Parker, Sir Gilbert (Gravesend)
Pease, Herbert Pike (Darlington
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Ratcliff, Major R. F.
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Renwick, George
Roberts, S. (Sheffield, Ecclesall)
Ropner, Colonel Sir Robert
Rutherford, W. W. (Liverpool)
Scott, Sir S. (Marylebone, W.)
Smith, F. E. (Liverpool, Walton)
Stanier, Beville
Talbot, Lord E. (Chichester)
Talbot, Rt. Hn. J. G. (Oxf'd Univ.
Thornton, Percy M.
Valentia, Viscount
Walker, Col. W. H. (Lancashire)
Walrond, Hon. Lionel
Warde, Col. C. E. (Kent, Mid)
White, Patrick (Meath, North)
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE AYES—Mr. James Hope and Mr. George D. Faber.

NOES.

Abraham, William (Rhondda)
Adkins, W. Ryland D.
Ainsworth, John Stirling
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Astbury, John Meir
Atherley-Jones, L.
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Sir John E. (Somerset)
Barlow, Percy (Bedford)
Barnes, G. N.
Barran, Rowland Hirst
Barry, Redmond J. (Tyrone, N)
Beauchamp, E.
Bell, Richard
Benn, W. (T'w'r Hamlets, S. Geo.
Bennett, E. N.
Black, Arthur W.
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Bramsdon, T. A.

Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brooke, Stopford
Bryce, J. Annan
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Buxton, Rt.Hn.Sydney Charles
Cameron, Robert
Carr-Gomm, H. W.
Causton,Rt.Hn.RichardKnight
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cheetham, John Frederick
Clough, William
Collins,SirWm.J.(S.Pancras,W
Compton-Rickett, Sir J.
Corbett,C H (Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Crooks, William
Crossley, William J.
Curran, Peter Francis
Dalziel, James Henry
Davies, Ellis William (Eifion)
Davies,M.Vaughan- (Cardigan)
Davies, Timothy (Fulham)
Davies,SirW.Howell(Bristol,S.
Dickinson,W.H.(St.Pancras,N.
Duckworth, James
Duncan, C.(Barrow-in-Furness
Duncan, J. H. (York, Otley)
Edwards, Clement (Denbigh)
Edwards, Sir Francis (Radnor)
Evans, Sir Samuel T.
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Fiennes, Hon. Eustace
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Glen-Coats,Sir T.(Renfrew,W.)
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Hall, Frederick
Harcourt,RtHn.L.(Rossendale
Harcourt, Robert V.(Montrose)
Harmsworth,R.L(Caithness-sh
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey,W.E.(Derbyshire,N.E.
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobhouse, Charles E. H.
Hodge, John
Holt, Richard Durning
Hope,W.Bateman(Somerset,N.
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Jocoby, Sir James Alfred
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones,William(Carnarvonshire
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D.
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Levy, A. Levy (Essex,Harwich)
Levy, Sir Maurice
Lewis, John Herbert
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Macdonald, J. R. (Leicester)
Macdonald,J.M.(FalkirkB'ghs)
Maclean, Donald
Macnamara, Dr. Thomas J.
Macpherson, J. T.
MacVeagh,Jeremiah (Down,S.)
M'Callum, John M.
M'Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren, Sir C. B. (Leicester)
M'Micking, Major G.
Maddison, Frederick
Markham, Arthur Basil
Marks,G.Croydon (Launceston)
Massie, J.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Montgomery, H. G.
Morgan,J.Loyd (Carmarthen)
Morse, L. L.
Morton, Alpheus Cleophas
Myer, Horatio
Nicholls, George
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
O'Grady, J.
Parker, James (Halifax)
Partington, Oswald
Pearce, William (Limehouse)
Pickersgill, Edward Hare
Price, C. E. (Edinb'gh, Central
Price,Sir RobertJ.(Norfolk, E.)
Radford, G. H.
Raphael, Herbert H.
Rees, J. D.
Richards,Thomas(W.Monm'th)
Richards, T.F.(Wolverh'mpt'n)
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts,Sir JohnH.(Denbighs.)
Robertson,SirGScott(Bradf'rd)
Robinson, S.
Roch, Walter F. (Pembroke)
Russell, Rt. Hon. T. W.
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Schwann, C. Duncan (Hyde)
Seaverns, J. H.
Seddon, J.
Shackleton, David James
Shaw, Charles Edw. (Stafford)
Shaw, Rt. Hon. T. (Hawick B.)
Sherwell, Arthur James
Silcock, Thomas Ball
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Stanley, Albert (Staffs. N.W.)
Stanley, Hn. A. Lyulph(Chesh)
Steadman, W. C.
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Summerbell, T.
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Thomas,Sir A.(Glamorgan, E.)
Thomas,David Alfred(Merthyr
Thompsn,J.W.H. (Somerset,E.
Thorne, G.R.(Wolverhampton)
Tomkinson, James
Toulmin, George
Verney, F. W.
Walker, H. De R. (Leicester)
Walsh, Stephen
Walters, John Tudor
Walton, Joseph
Ward,John(Stoke-upon-Trent)
Wardle, George J.
Wason,John Cathcart (Orkney)
Waterlow, D. S.
Watt, Henry A.
White, Sir George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker,Rt.Hn.SirThomasP.
Wiles, Thomas
Williams, J. (Glamorgan)
Williams,Llewelyn(Carmarth'n
Williamson, A.
Wills, Arthur Walters
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J. (York, W.R.)
Wilson, J.W. (Worcestersh.N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE NOES—Mr. Joseph Pease and Master of Elibank.

MR. JAMES HOPE moved to omit subsection (3), in order to get at close quarters with the point he mentioned just before the Committee last divided. The word "shall" was the governing word of the whole of the subsection.

The effect of it was to make it absolutely binding on the Licensing Commission to take the schemes of reduction in the order in which they came to them. He did not think that could be evaded. So long as they saw their way clear to be able to pay for them, so long must they do so. The intention of the Government that there should be no priority would therefore be defeated. Under the subsection as it stood there must be priority. He submitted that it would be better to leave the matter vague and allow the Commission to carry it out in their full discretion, not seeking to bind them by the words of the subsection.

Amendment proposed—

"In page 8, line 8, to leave out subsection (3).'"—(*Mr. James Hope.*)

Question proposed, "That the words proposed to be left out, to the word 'Act' in line 14, stand part of the clause."

*MR. HERBERT SAMUEL said the point had really been discussed on the last Amendment. The Bill was perfectly clear. The Licensing Commission were empowered to take into account not only any existing but also any prospective liability for compensation, including compensation in respect of any optional reductions which might be sanctioned. That completely met the point of the hon. Member. He understood that what was really in the mind of the hon. Member in moving the Amendment was the alteration of the word "shall" into "may"; but he would point out that all through the debate they had heard that this Commission was an autocratic body, able to impose their will upon the justices, the people, and anyone. Now the Government proposed that, where the money was available, and where they could meet the payments for compensation involved by the proposals for optional reductions without imposing the compensation levy at rates exceeding those set out in the second Schedule, the Commission should be required to meet the wishes of the licensing justices, or the people in the case of Wales; the hon. Member wished completely to alter that and to give the Licensing Commission autocratic powers to veto the wishes of the justices or people of the locality.

SIR E. CARSON said the attitude of the Opposition was absolutely fair. When they objected to the powers of the Licensing Commissioners on very much more important matters, the Government insisted upon them. They objected to their autocratic powers of taxation. That was a very important matter, and they said it was unprecedented to give such powers to a Commission of this kind, which was not representative of any interest whatever in the county. When it came to the question of these proposals, the Government allowed no elasticity whatever, but it worked out in an extraordinary way. The Commission must agree to the proposals, but they could attach such terms as they pleased. Having said they agreed, they might put in terms which made the proposals absolutely nugatory. That was an extraordinary way to deal with the Commission. If they wanted a really fit body at all, they ought to leave them the discretion as proposed by the hon. Member.

*MR. G. D. FABER said that the more he looked at the subsection, the more extraordinarily vague it appeared. He could perfectly understand these three estimable gentlemen on the Commission being able to take into account any existing liability, but how, in the name of common sense, were they going to take into account any prospective liability? They would not assess the compensation; the Inland Revenue Commissioners would do that. How were the Licensing Commission to know their prospective liability when they did not assess the compensation at all? Secondly, the subsection said that, if the money was sufficient for the optional reductions, the Commissioners—

"Shall give their sanction to those proposals."

Why "shall"? Why not "may"? The attitudes which these gentlemen were to take up were extraordinarily kaleidoscopic. At one moment they were to be supreme, and were to impose any conditions they pleased, and the moment afterwards it was not they "may," but they "shall" do this. He would prefer that they "may give their sanction" to the proposals. Surely, it was better to make their powers arbitrary for all these purposes, and say that if the money was there for the purpose of the optional reduction proposals of the licensing justices or for the local option proposals in the case of Wales they might have the power to say "No." His third difficulty was as regards rival schemes of local option. The clause, as it stood, left it entirely to the whim of the Commissioners as to the order in which they would consider any proposals for optional reduction. It might be that the chief member of the Commission would be a gentleman passionately devoted to local option for Wales and who would prefer applying any surplus money there might be to securing local option for Wales although proposals for optional reduction might have previously been put forward for England. Why should Wales in that case have preference merely because the first Commissioner might have a desire for local option in Wales? It would have been better in this case if the point had been put over the "i" and the cross on the "t" and chapter and verse had been given as to how the optional proposals should be considered by the Commissioners.

Mr. A. J. BALFOUR did not think the Committee appreciated to the full the humour of the proposals contained in subsection (3) of this clause. It was in the power of a Government to appoint three able administrators as Commissioners to deal with this problem; but it was really not in the power of this or any Government to appoint three prophets. What were these gentlemen asked to do? They were to take into account any then existing and any prospective liability for compensation, including compensation in respect of any optional reductions which might be sanctioned. They were not only to have in view liabilities already existing, but any liabilities which might be imposed upon them. Were these three Commissioners to be endowed with a peculiar sense of foresight and prophecy that would enable them to know what claims in the future the licensing magistrates and Petty Sessions were going to make upon the central fund? The action of the magistrates might be difficult to forecast, but it would be even more difficult to forecast the action of popularly elected bodies. He did not think even the Government could say how the constituencies were going to act at the next general election. He should be reluctant to make any prophecy, and he did not know that the Government were more competent to do so than he was. How were the popular assemblies in the various parishes in Wales going to be subjected to an accurate forecast which would enable the Commissioners to know what their future liabilities would be? A merchant in business could form a forecast because he understood the market, and was able to make some prophecy as to the future and as to the relation which his assets should bear to the liabilities which might be imposed upon him. Would any commercial man accept as a business man any forecast of the liabilities which would be thrown upon him by the action of this or that parish in Wales or of this or that bench of magistrates? Yet, according to the words of the subsection, the Commissioners were to take into account, not only what had happened and what was happening, but they were to cast their vision into the doubtful and obscure future, to interpret the action of every bench of magistrates, to forecast the changing moods of every parish in the principality, and, having formed accurate estimates of the various liabilities, an absolute command was thrown upon them to sanction the proposals. A more ludicrous and extraordinarily grotesque proposition was never put before Parliament by a Government pretending to deal with a question seriously. He did not for a moment suppose that had the Government not had that admirable substitute for reason and argument which was to be found in the Closure, and had it been possible to arouse interest in a Bill the fate of which seemed so doubtful, they would have had the audacity to propose to cast upon three gentlemen in London the duty of throwing their acute minds into the future and auguring the liabilities to be imposed upon them by he knew not how many different benches and parishes. It was grotesque and absurd, and not the smallest defence of it had been offered.

Sir S. EVANS said the right hon. Gentleman had introduced a vein of humour into the discussion. He said he had not the gift of prophecy, but before he sat down he went very near it as to the future of this Bill. In that region he perhaps was the very best prophet in the House. What had called forth the right hon. Gentleman's humourous observations? Wales had nothing to do specially with this particular subsection. The subsection dealt with optional reductions, and there might be optional reductions in England as well as in Wales, and there was no special application of subsection (7).

Mr. A. J. BALFOUR: Because the popular assembly deals with it in Wales.

Sir S. EVANS: But there are popular assemblies in England also.

Mr. A. J. BALFOUR: Dealing with this Bill? In which clause?

Sir S. EVANS said not upon this particular clause. The Commissioners were asked to consider the existing and the prospective liability, and the right hon. Gentleman had spoken as if it were to be written down in pounds, shillings and pence. They had to have regard—they could put those words in if thought fit—to the claims to be made upon them in the future, as well as to the existing liability. Why not? Were they, in dealing with these matters, entirely to look to the past and never to the future? There was a humourous situation here and he would tell the right hon. Gentleman what it was. He had not told them whether he was going to vote for the omission of this grotesque subsection. He wondered whether he was. He had no right to ask.

Mr. A. J. BALFOUR: That depends upon the arguments I hear.

Sir S. EVANS said the result of the omission of the subsection would be that there would be no limit upon the levy for either statutory or optional reduction, and the right hon. Gentleman would have put it on record that, so far as that was concerned, he desired that the Licensing Commission should have the fullest power to raise a levy for optional as well as for statutory reduction.

Amendment negatived.

Amendment proposed—

"In page 8, line 10, after the word 'optional,' to insert the words 'or further.'"—(*Mr. Sherwell.*)

Amendment agreed to.

***The CHAIRMAN**: The Amendment in the name of the hon. and learned Member for Kingston (to substitute "may" for "shall") has been anticipated by the discussion on the Motion to omit the subsection.

Mr. CAVE asked, in view of the fact that the Amendment would afford the Government a way out of the difficulties they had been discussing, whether it would not be in order to move the substitution of the precise word that would cover the point already discussed.

***The CHAIRMAN**: It is a matter of order. The hon. Member who moved the omission of the subsection did so specifically on the ground that the word "may" should be substituted for "shall."

Mr. A. J. BALFOUR: May I remind you, Sir, that I was challenged by the Solicitor-General, and it was received with some cheering on the other side, with regard to our dividing on the whole subsection? I quite agree that you cannot omit the whole subsection, but it is grotesque as it stands, and this is the only opportunity we shall have of amending it. If it be understood that there is no discussion on this point shall we be allowed to vote on it? The Government dare not meet the real point.

Sir S. EVANS: The right hon. Gentleman has misunderstood me. I said I had no objection.

Mr. CAVE said that he was quite prepared to move the Amendment without a discussion and let the Committee decide the point.

***The CHAIRMAN**: If that is the wish of the Committee I will accept it.

Amendment proposed—

"In page 8, line 14, to leave out the word 'shall,' and to insert the word 'may.'"—(*Mr. Cave.*)

Question put, "That the word 'shall' stand part of the clause."

The Committee divided:—Ayes, 272; Noes, 104. (Division List No. 299.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Adkins, W. Ryland D.
Agar-Robartes, Hn. T. C. R.
Ainsworth, John Stirling
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Asquith, Rt. Hn. Herbert Henry
Astbury, John Meir
Atherley-Jones, L.
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Sir John E. (Somerset)
Barlow, Percy (Bedford)
Barnes, G. N.
Barran, Rowland Hirst
Barry, Redmond J. (Tyrone, N.)
Beale, W. P.
Beauchamp, E.
Bell, Richard
Benn, W. (T'w'r Hamlets, S. Geo.
Bennett, E. N.
Birrell, Rt. Hon. Augustine
Black, Arthur W.
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Bryce, J. Annan
Buchanan, Thomas Ryburn
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Charles
Cameron, Robert
Carr-Gomm, H. W.
Causton, Rt. Hn. Richard Knight
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cheetham, John Frederick
Churchill, Rt. Hon. Winston S.
Clough, William
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W
Compton-Rickett, Sir J.
Corbett, C H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cowan, W. H.
Crooks, William
Crosfield, A. H.
Crossley, William J.
Curran, Peter Francis
Dalziel, James Henry
Davies, Ellis William (Eifion)
Davies, M. Vaughan-(Cardigan)
Davies, Timothy (Fulham)
Davies, Sir W. Howell (Bristol, S.
Dickinson, W. H. (St. Pancras, N.
Dilke, Rt. Hon. Sir Charles
Duckworth, James
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunne, Major E. Martin (Walsall
Edwards, Clement (Denbigh)
Edwards, Sir Francis (Radnor)
Ellis, Rt. Hon. John Edward
Erskine, David C.
Esslemont, George Birnie
Evans, Sir Samuel T.
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Fiennes, Hon. Eustace
Foster, Rt. Hon. Sir Walter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Glen-Coats, Sir T. (Renfrew, W.)
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Gulland, John W.
Gurdon, Rt Hn Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Harcourt, Rt. Nn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Harmsworth, R L. (Caithness-sh
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey, W. E. (Derbyshire, N. E.
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.)
Henry, Charles S.
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobhouse, Charles E. H.
Hodge, John
Holt, Richard Durning
Hope, W. Bateman (Somerset, N.
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Jacoby, Sir James Alfred
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire)
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Leese, Sir Joseph F. (Accrington)
Lever, A. Levy (Essex, Harwich
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk B'ghs
Maclean, Donald
Macnamara, Dr. Thomas J.
Macpherson, J. T.
M'Callum, John M.
M'Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren, Sir C. B. (Leicester)
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Markham, Arthur Basil
Marks, G. Croydon (Launceston)
Massie, J.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Montgomery, H. G.
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murray, Capt. Hn A. C. (Kincard.
Myer, Horatio
Nicholls, George
Nicholson, Charles N. (Doncast'r
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
O'Grady, J.
Parker, James (Halifax)
Partington, Oswald
Pearce, William (Limehouse)
Pickersgill, Edward Hare
Pollard, Dr.
Price, C. E. (Edinb'gh, Central)
Price, Sir Robert J. (Norfolk, E.)
Priestley, W. E. B. (Bradford, E.)
Radford, G. H.
Raphael, Herbert H.
Rees, J. D.
Richards, Thomas (W. Monm'th
Richards, T. F. (Wolverh'mpt'n
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, Sir John H. (Denbighs)
Robertson, Sir G. Scott (Bradf'rd
Robinson, S.
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rogers, F. E. Newman
Rose, Charles Day

Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel,Herbert L.(Cleveland)
Samuel, S. M. (Whitechapel)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Shackleton, David James
Shaw,Charles Edw. (Stafford)
Shaw, Rt. Hon. T. (Hawick B.)
Sherwell, Arthur James
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanley, Albert (Staffs, N.W.)
Stanley, Hn.A.Lyulph(Chesh.)
Steadman, W. C.
Stewart-Smith, D. (Kendal)
Straus, B. S. (Mile End)
Summerbell, T.
Sutherland, J. E.
Taylor, Theodore C.(Radcliffe)
Tennant, Sir Edward(Salisbury
Thomas, Abel(Carmarthen, E.)
Thomas, Sir A. (Glamorgan, E.)
Thomas,DavidAlfred(Merthyr)
Thompson, J.W.H.(Somerset,E
Thorne, G.R.(Wolverhampton)
Tomkinson, James
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Walker, H. De R. (Leicester)
Walsh, Stephen
Walters, John Tudor
Walton, Joseph
Ward,John(Stoke-upon-Trent)
Warlde, George J.
Waring, Walter
Wason,Rt.Hn.E(Clackmannan
Wason, John Cathcart(Orkney)
Waterlow, D. S.
Watt, Henry A.
White, Sir George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker,RtHn.Sir ThomasP.
Wiles, Thomas
Williams, J. (Glamorgan)
Williams,Llewelyn(Carm'rth'n)
Williamson, A.
Wills, Arthur Walters
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J.(York, W.R.)
Wilson, J. H. (Middlesbrough)
Wilson, J. W. (Worcestersh.N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W.T.(Westhoughton)
Winfrey, R.
Wood, T. M‘Kinnon
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood,RtHn.SirAlex.F.
Anson, Sir William Reynell
Arkwright, John Stanhope
Ashley, W. W.
Aubrey-Fletcher,Rt.Hn.Sir H.
Balcarres, Lord
Baldwin, Stanley
Balfour,RtHn.A.J.(City Lond.)
Banbury, Sir Frederick George
Banner, John S. Harmood-
Baring,Capt.Hn.G (Winchester
Barnard, E. B.
Barrie,H.T. (Londonderry, N.)
Beach,Hn.Michael Hugh Hicks
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Chamberlain,RtHn.J.A.(Worc.
Clark, George Smith
Clive, Percy Archer
Cochrane, Hon. Thos. H. A. E.
Collings, RtHn.J.(Birmingh'm)
Courthope, G. Loyd
Craig,Charles Curtis(Antrim,S)
Craik, Sir Henry
Doughty, Sir George
Du Cros, Arthur Philip
Duncan, Robt.(Lanark,Govan)
Faber, George Denison (York)
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Gibbs, G. A. (Bristol, West)
Gooch,Henry Cubitt(Peckham)
Goulding, Edward Alfred
Gretton, John
Guinness, Hon. R. (Haggerston
Guinness, W. E. (Bury S.Edm.)
Haddock, George B.
Hamilton, Marquess of
Harris, Frederick Leverton
Harrison-Broadley, H. B.
Hills, J. W.
Hope,James Fitzalan(Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Kennaway,RtHn.Sir John H.
Kerry, Earl of
Keswick, William
Kimber, Sir Henry
Lambton,Hon. Frederick Wm.
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Lee,Arthur H.(Hants,Fareham
Lockwood,Rt.Hn.Lt.-Col. A.R.
Long,Col.Charles W.(Evesham
Long,Rt.Hn.Walter (Dublin,S.
Lonsdale, John Brownlee
M‘Arthur, Charles
Magnus, Sir Philip
Marks, H. H. (Kent)
Mildmay, Francis Bingham
Morrison-Bell, Captain
Nicholson, Wm.G.(Petersfield)
Nolan, Joseph
Pease,Herbert Pike(Darlington
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Ratcliff, Major R. F.
Rawlinson,John FrederickPeel
Remnant, James Farquharson
Renton, Leslie
Renwick, George
Ronaldshay, Earl of
Ropner, Colonel Sir Robert
Rutherford, W. W. (Liverpool)
Scott, Sir S. (Marylebone, W.)
Smith,F.E (Liverpool, Walton)
Smith, Hon. W. F. D.(Strand)
Stanier, Beville
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.
Strauss, E. A. (Abingdon)
Talbot, Lord E. (Chichester)
Talbot,Rt.Hn.J.G.(Oxf'dUniv.
Thomson,W.Mitchell- (Lanark)
Thornton, Percy M.
Tuke, Sir John Batty
Valentia, Viscount
Walker,Col.W. H. (Lancashire)
Walrond, Hon. Lionel
Warde, Col. C. E. (Kent, Mid)
Whitbread, Howard
White, Patrick (Meath, North)
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE NOES—Mr. Cave and Mr. Samuel Roberts.

Motion made, and Question proposed, "That the clause, as amended, stand part of the Bill."

MR. CAVE said that formerly the power was given to Quarter Sessions to levy a fund for their own county, but that power had now been given to an independent body who could levy a fund over the whole nation, and spend money in different parts of the country. There was no limit to the power given to the Licensing Commission, and nobody who was liable to contribute compensation under this Bill would be able to ascertain what his liabilities would be. A man might calculate one year upon a certain basis of compensation, and make all his estimates and plans on that basis; but in the following year he might find that, for some reasons or other over which he had no control, the levy imposed upon him was very seriously increased. That was not a fair liability to place upon persons who, under this Bill, were already subjected to very heavy burdens. There was no guidance whatever in the clause which would assist the Commissioners in making a selection from the different schemes presented. Nobody could tell precisely what the effect of this clause would be, because it created confusion itself and added confusion to the other clauses. He knew that in consequence of the conditions under which they were discussing this Bill they could not expect concessions. He could not help saying, however, that many of the points urged upon the Government might have been met if the Government had possessed any real desire to meet them. For the reasons he had placed before the Committee he contended that this clause as at present drawn was one which ought not to pass, and if a division were challenged, he should vote against it.

Question put.

The Committee divided:—Ayes, 300; Noes, 114. (Division List No. 300.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Adkins, W. Ryland D.
Agar-Robartes, Hon. T. C. R.
Ainsworth, John Stirling
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Asquith, Rt. Hon. Herbert Henry
Astbury, John Meir
Atherley-Jones, L.
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Sir John E. (Somerset)
Barlow, Percy (Bedford)
Barnes, G. N.
Barran, Rowland Hirst
Barry, Redmond J. (Tyrone, N.)
Beale, W. P.
Beauchamp, E.
Beck, A. Cecil
Bell, Richard
Benn, W. (T'w'r Hamlets, S. Geo.
Bennett, E. N.
Birrell, Rt. Hon. Agustine
Black, Arthur W.
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Bryce, J. Annan
Buchanan, Thomas Ryburn
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Charles
Cameron, Robert
Carr-Gomm, H. W.
Causton, Rt. Hn. Richard Knight
Cawley, Sir Frederick
Chance, Frederick William
Channing, Sir Francis Allston
Cheetham, John Frederick
Churchill, Rt. Hon. Winston S.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W
Compton-Rickett, Sir J.
Corbett, C. H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Crooks, William
Crosfield, A. H.
Crossley, William J.
Curran, Peter Francis
Dalmeny, Lord
Dalziel, James Henry
Davies, Ellis William (Eition)
Davies, M. Vaughan- (Cardigan
Davies, Timothy (Fulham)
Davies, Sir W. Howell (Bristol, S.
Dickinson, W. H. (St. Pancras, N.
Dilke, Rt. Hon. Sir Charles
Duckworth, James
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunne, Major E. Martin (Walsall
Edwards, Clement (Denbigh)
Edwards, Sir Francis (Radnor)
Ellis, Rt. Hon. John Edward
Erskine, David C.
Esslemont, George Birnie
Evans, Sir Samuel T.
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Fiennes, Non. Eustace
Foster, Rt. Hon. Sir Walter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Gladstone, Rt. Hn. Herbert John
Glen-Coats, Sir T. (Renfrew, W.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Gulland, John W.
Gurdon, Rt Hn. Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardie, J. Keir (Merthyr Tydvil)
Harmsworth, Cecil B. (Worc'r)
Harmsworth, R. L. (Caithn'ss-sh
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey, W. E. (Derbyshire, N. E.
Harwood, George
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham
Henderson, J. M. (Aberdeen, W)
Henry, Charles S.
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobhouse, Charles E. H.
Hodge, John
Holt, Richard Durning
Hooper, A. G.
Hope, W. Bateman (Somerset, N.
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Jacoby, Sir James Alfred
Jardine, Sir J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.

Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Leese,Sir JosephF.(Accrington
Lehmann, R. C.
Lever,A.Levy (Essex,Harwich
Levy, Sir Maurice
Lewis, John Herbert
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Macdonald, J. R. (Leicester)
Macdonald,J.M.(Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
Macpherson, J. T.
MacVeagh, Jeremiah (Down,S.
M'Callum, John M.
M'Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren, Sir C. B. (Leicester)
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Markham, Arthur Basil
Marks,G.Croydon(Launceston)
Massie, J.
Meznies, Walter
Micklem, Natheniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Montgomery, H. G.
Morgan, G. Hay (Cornwall)
Morgan,J. Lloyd(Carmarthen)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murray,Capt.Hn.A.C.(Kincard.
Myer, Horatio
Napier, T. B.
Nicholls, George
Nicholson,CharlesN.(Doncaster
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
O'Grady, J.
Parker, James (Halifax)
Partington, Oswald
Pearce, William (Limehouse)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pollard, Dr.
Price,C.E.(Edinb'gh, Central)
Price,Sir Robert J.(Norfolk, E.)
Priestley,W.E.B.(Bradford,E.)
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rees, J. D.
Rendall, Athelstan
Richards,Thomas(W. Monm'th
Richards,T.F.(Wolverh'mpt'n
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts,SirJohnH.(Denbighs.)
Robertson,SirG.Scott(Bradf'rd
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rogers, F. E. Newman
Rose, Charles Day
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland
Samuel, S. M. (Whitechapel)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Scott,A.H.(Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Colonel
Shackleton, David James
Shaw, Charles Edw.(St ffford)
Shaw,Rt. Hon. T. (Hawick,B.)
Sherwell, Arthur James
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanley, Albert (Staffs, N.W.)
Stanley,Hn.A. Lyulph (Chesh.)
Steadman, W. C.
Stewart-Smith, D. (Kendal)
Straus, B. S. (Mile End)
Summerbell, T.
Sutherland, J. E.
Taylor, Theodore C.(Radcliffe)
TennantSir Edward(Salisbury)
Tennant, H. J. (Berwickshire)
Thomas, Abel (Carmarthen, E)
Thomas,Sir A.(Glamorgan, E.
Thomas,David Alfred(Merthyr
Thompson,J.W.H.(Somerset,E
Thorne,G.R.(Wolverhampton)
Tomkinson, James
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Walker, H. De R. (Leicester)
Walsh, Stephen
Walters, John Tudor
Walton, Joseph
Ward, John (Stoke upon Trent
Wardle, George J.
Waring, Walter
Wason,Rt.Hn.E.(Clackmannan
Wason,JohnCathcart(Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
Whitehead, Rowland
Whitley, John Henry(Halifax)
Whittaker,RtHn.Sir ThomasP.
Wiles, Thomas
Williams, J. (Glamorgan)
Williams,Llewelyn(Carmarth'n
Williamson, A.
Wills, Arthur Walters
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J.(York, W.R.)
Wilson, J. H. (Middlesbrough)
Wilsôn, J.W. (Worcestersh. N.)
Wilson, P. W.)St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Anson, Sir William Reynell
Arkwright, John Stanhope
Ashley, W. W.
Aubrey-Fletcher,Rt.Hon.Sir H
Balcarres, Lord
Baldwin, Stanley
Balfour,Rt Hn.A.J.(City Lond.
Banbury,Sir Frederick George
Banner, John S. Harmood-
Baring,Capt.Hn.G(Winchester
Barnard, E. B.
Barrie, H.T.(Londonderry, N.)
Beach,Hn.Michael Hugh Hicks
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Chamberlain,RtHn.J.A.(Worc.
Clark, George Smith
Clive, Percy Archer
Cochrane, Hon. Thos. H. A. E.
Collings, Rt.Hn.J.(Birmingh'm
Courthope, G. Loyd
Craig,CharlesCurtis (Antrim,S.
Craik, Sir Henry
Doughty, Sir George
DuCros, Arthur Philip
Duncan,Robert(Lanark,Govan
Faber, George Denison (York)
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Gibbs, G. A. (Bristol, West)
Gooch, HenryCubitt(Peckham)
Goulding, Edward Alfred
Gretton, John
Guinness, Hon. R.(Haggerston
Guinness,W.E. (Bury S. Edm.
Haddock, George B.
Hamilton, Marquess of
Harris, Frederick Leverton
Harrison-Broadley, H. B.
Hay, Hon. Claude George
Hills, J. W.
Hope,JamesFitzalan(Sheffield)

Houston, Robert Paterson
Hunt, Rowland
Kennaway, Rt. Hn. Sir John H.
Kerry, Earl of
Keswick, William
Kimber, Sir Henry
King, Sir Henry Seymour (Hull)
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Lee, Arthur H. (Hants, Fareham
Lockwood, Rt. Hn. Lt.-Col. A. R.
Long, Col. Charles W. (Evesham
Long, Rt. Hn. Walter (Dublin, S.)
Lonsdale, John Brownlee
Lyttleton, Rt. Hon. Alfred
M'Arthur, Charles
Magnus, Sir Philip
Marks, H. H. (Kent)
Mildmay, Francis Bingham
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
Nolan, Joseph
Pease, Herbert Pike (Darlington)
Percy, Earl
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Ratcliff, Major R. F.
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Renwick, George
Roberts, S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Ropner, Colonel Sir Robert
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Sassoon, Sir Edward Albert
Scott, Sir S. (Marylebone, W.)
Smith, Abel H. (Hertford, East)
Smith, F. E. (Liverpool, Walton)
Smith, Hon. W. F. D. (Strand)
Stanier, Beville
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.
Strauss, E. A. (Abingdon)
Talbot, Lord E. (Chichester)
Talbot, Rt. Hn. J. G. (Oxf'd Univ)
Thomson, W. Mitchell-(Lanark)
Thornton, Percy M.
Tuke, Sir John Batty
Walker, Col. W. H. (Lancashire
Walrond, Hon. Lionel
Warde, Col. C. E. (Kent, Mid)
Whitbread, Howard
White, Patrick (Meath, North)
Williams, Col. R. (Dorset, W.)
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE NOES.—Sir Alexander Acland-Hood and Viscount Valentia.

And, it being after half-past Ten of the clock, the CHAIRMAN proceeded, pursuant to the Order of the House of 17th July, successively to put forthwith the Question on an Amendment moved by the Government of which notice had been given, and the Question necessary to dispose of Clause 13.

Clause 13:

Amendment proposed—

"In page 8, line 36, after the word 'compensation,' to insert the words 'in respect of statutory reduction.'"—(*Sir Samuel Evans.*)

Question, "That those words be there inserted," put, and agreed to.

Question put, "That the Clause, as amended, stand part of the Bill."

The Committee divided:—Ayes, 303; Noes, 115. (Division List No. 301.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Adkins, W. Ryland D.
Agar-Robartes, Hon. T. C. R.
Ainsworth, John Stirling
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Asquith, Rt. Hn. Herbert Henry
Astbury, John Meir
Atherley-Jones, L.
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Sir John E. (Somerset)
Barlow, Percy (Bedford)
Barnes, G. N.
Barran, Rowland Hirst
Barry, Redmond J. (Tyrone, N.)
Beale, W. P.
Beauchamp, E.
Beck, A. Cecil
Bell, Richard
Benn, W. (T'w'r Hamlets, S. Geo.
Bennett, E. N.
Birrell, Rt. Hon. Augustine
Black, Arthur W.
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Brigg, John
Bright, J. A.
Brocklehurst, W. B
Brodie, H. C.
Brooke, Stopford
Bryce, J. Annan
Buchanan, Thomas Ryburn
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Charles
Cameron, Robert
Carr-Gomm, H. W.
Causton, Rt. Hn. Richard Knight
Cawley, Sir Frederick
Chance, Frederick William
Channing, Sir Francis Allston
Cheetham, John Frederick
Churchill, Rt. Hon. Winston S.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W.
Compton-Rickett, Sir J.
Corbett, C H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crooks, William
Crosfield, A. H.
Crossley, William J.
Curran, Peter Francis
Dalmeny, Lord
Dalziel, James Henry
Davies, Ellis William (Eifion)
Davies, M. Vaughan- (Cardigan
Davies, Timothy (Fulham)
Davies, Sir W. Howell (Bristol, S.
Dickinson, W. H. (St. Pancras, N
Dilke, Rt. Hon. Sir Charles
Duckworth, James
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunne, Major E. Martin (Walsall
Edwards, Clement (Denbigh)
Edwards, Sir Francis (Radnor
Ellis, Rt. Hon. John Edward
Erskine, David C.
Esslemont, George Birnie
Evans, Sir Samuel T.
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Fiennes, Hon. Eustace
Foster, Rt. Hon. Sir Walter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Gladstone, Rt. Hn. Herbert John
Glen-Coats, Sir T. (Renfrew, W.)
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward

Gulland, John W.
Gurdon,RtHn.SirW.Brampton
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Harcourt,Rt.Hn.L.(Rossendale
Harcourt, Robert V.(Montrose
Hardie, J.Keir(MerthyrTydvil)
Harmsworth, Cecil B. (Worc'r)
HarmsworthR.L.(Caithn'ss-sh)
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey, W. E.(Derbyshire,N.E
Harwood, George
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Helme, Norval Watson
Henderson, Arthur (Durham)
Henderson,J.M.(Aberdeen, W.)
Henry, Charles S.
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobhouse, Charles E. H.
Hodge, John
Holt, Richard Durning
Hooper, A. G.
Hope,W.Bateman(Somerset,N.
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Jacoby, Sir James Alfred
Jardine, Sir J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones,William(Carnarvonshire)
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Leese,Sir Joseph F.(Accrington
Lehmann, R. C.
Lever, A.Levy(Essex,Harwich)
Levy, Sir Maurice
Lewis, John Herbert
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, J.M.(Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
Macpherson, J. T.
MacVeagh, Jeremiah (Down,S
M'Callum, John M.
M'Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren, Sir C. B. (Leicester)
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Markham, Arthur Basil
Marks,G.Croydon(Launceston)
Massie, J.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Montgomery, H. G.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murray,Capt.Hn A.C.(Kincard
Myer, Horatio
Napier, T. B.
Nicholls, George
Nicholson,Charles N.(Doncast'
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
O'Grady, J.
Parker, James (Halifax)
Partington, Oswald
Pearce, William (Limehouse)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pollard, Dr.
Price, C. E. (Edinb'gh, Central)
Price,Sir Robert J.(Norfolk,E.)
Priestley, W.E.B.(Bradford,E)
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rees, J. D.
Rendall, Athelstan
Richards, Thomas(W.Monm'th
Richards, T. F.(Wolverh'mpt'n
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts,Sir JohnH. (Denbighs.
Robertson,Sir G.Scott(Bradfrd
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rogers, F. E. Newman
Rose, Charles Day
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Scott, A.H.(Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Colonel
Shackleton, David James
Shaw, Charles Edw. (Stafford)
Shaw, Rt. Hon. T. (Hawick,B.)
Sherwell, Arthur James
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanley, Albert (Staffs, N. W.)
Stanley, Hn. A.Lyulph(Chesh.)
Steadman, W. C.
Stewart-Smith, D. (Kendal)
Straus, B. S. (Mile End)
Summerbell, T.
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Tennant, Sir Edward(Salisbury
Tennant, H. J. (Berwickshire)
Thomas, Abel (Carmarthen, E.)
Thomas, Sir A. (Glamorgan,E.)
Thomas, David Alfred(Merthyr
ThompsonJ.W.H.(Somerset,E
Thorne, G. R. (Wolverhampton
Tomkinson, James
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Walker, H. De R. (Leicester)
Walsh, Stephen
Walters, John Tudor
Walton, Joseph
Ward, John (Stoke upon Trent)
Wardle, George J.
Waring, Walter
Wason,Rt.Hn.E(Clackmannan
Wason, John Cathcart(Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker,Rt.Hn.SirThomasP
Wiles, Thomas
Williams, J. (Glamorgan)
Williams,Llewelyn(Carmarthen
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J. (York, W.R.)
Wilson, J. H. (Middlesbrough)
Wilson, J. W. (Worcestersh.N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Anson, Sir William Reynell
Arkwright, John Stanhope
Ashley, W. W.
Aubrey-Fletcher, Rt.Hn.Sir H.
Balcarres, Lord
Baldwin, Stanley
Balfour,RtHn.A.J.(City Lond.)
Banbury, Sir Frederick George
Banner, John S. Harmood-

Baring,Capt.Hn.G (Winchester
Barnard, E. B.
Barrie, H. T. (Londonderry,N.)
Beach,Hn.Michael Hugh Hicks
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Chamberlain,Rt Hn.J.A.(Worc
Clark, George Smith
Clive, Percy Archer
Coates, Major E. F. (Lewisham
Cochrane, Hon. Thos. H. A. E.
Collings,Rt.Hn.J.(Birmingham
Courthope, G. Loyd
Craig,Charles Curtis (Antrim,S)
Craik, Sir Henry
Doughty, Sir George
DuCros, Arthur Philip
Duncan, Robert(Lanark,Govan
Faber, George Denison (York)
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Gibbs, G. A. (Bristol, West)
Gooch,Henry Cubitt(Peckham)
Goulding, Edward Alfred
Gretton, John
Guinness, Hon. R.(Haggerston)
Guinness, W. E. (Bury S.Edm)
Haddock, George B.
Hamilton, Marquess of
Harris, Frederick Leverton
Harrison-Broadley, H. B.
Hay, Hon. Claude George
Hills, J. W.
Hope,James Fitzalan(Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Kennaway,Rt.Hon.Sir John H.
Kerry, Earl of
Keswick, William
Kimber, Sir Henry
King,Sir Henry Seymour(Hull)
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Lee,Arthur H.(Hants,Fareham
Lockwood, Rt.Hn.Lt.-Col.A.R.
Long,Col.Charles W.(Evesham
Long,Rt.Hn.Walter (Dublin,S
Lonsdale, John Brownlee
Lyttelton, Rt. Hon. Alfred
M'Arthur, Charles
Magnus, Sir Philip
Marks, H. H. (Kent)
Mildmay, Francis Bingham
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm. G.(Petersfield)
Nield, Herbert
Nolan, Joseph
Pease,Herbert Pike(Darlington
Percy, Earl
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Ratcliff, Major R. F.
Rawlinson,John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Renwick, George
Roberts, S. (Sheffield,Ecclesall)
Ronaldshay, Earl of
Ropner, Colonel Sir Robert
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Sassoon, Sir Edward Albert
Schwann,Sir C. E.(Manchester)
Smith, Abel H. (Hertford,East)
Smith, Hon. W. F. D. (Strand)
Stanier, Beville
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.
Strauss, E. A. (Abingdon)
Talbot, Lord E. (Chichester)
Talbot,Rt.Hn.J.G.(Oxf'd Univ
Thomson,W. Mitchell-(Lanark)
Thornton, Percy M.
Tuke, Sir John Batty
Walker, Col. W.H.(Lancashire)
Waldron, Hon. Lionel
Warde, Col. C. E. (Kent, Mid)
Whitbread, Howard
White, Patrick (Meath, North)
Williams, Col. R. (Dorset, W.)
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE NOES—Sir Alexander Acland-Hood and Viscount Valentia.

Committee report Progress; to sit again To-morrow.

LICENSING [EXPENSES].

Considered in Committee.

(In the Committee.)

Motion made, and Question proposed, "That it is expedient to authorise the payment, out of moneys provided by Parliament, of the Remuneration and Expenses of the Licensing Commission, in pursuance of any Act of the present session to amend the Licensing Acts, 1828 to 1906."—(*Mr. Solicitor-General.*)

Question put forthwith, pursuant to the Order of the House of 17th July.

The Committee divided:—Ayes, 302; Noes, 113. (Division List No. 302.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Adkins, W. Ryland D.
Agar-Robartes, Hon. T. C. R.
Ainsworth, John Stirling
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Asquith,Rt.Hn.Herbert Henry
Astbury, John Meir
Atherley-Jones, L.
Baker, Joseph A.(Finsbury,E.)
Balfour, Robert (Lanark)
Baring,Godfrey (Isle of Wight)
Barker, John
Barlow, Sir John E. (Somerset)
Barlow, Percy (Bedford)
Barnes, G. N.
Barran, Rowland Hirst
Barry,Redmond J.(Tyrone,N.)
Beale, W. P.
Beauchamp, E.
Beck, A. Cecil
Bell, Richard
Benn,W.(T'w'rHamlets,S.Geo.
Bennett, E. N.
Birrell, Rt. Hon. Augustine
Black, Arthur W.
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Bryce, J. Annan
Buchanan, Thomas Ryburn
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Buxton,Rt.Hn.Sydney Charles
Cameron, Robert
Carr-Gomm, H. W.
Causton,Rt.Hn.Richard Knight
Cawley, Sir Frederick
Chance, Frederick William
Channing, Sir Francis Allston
Cheetham, John Frederick
Churchill, Rt. Hon. Winston S.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins,Sir Wm.J.(S.Pancras,W

Compton-Rickett, Sir J.
Corbett,CH(Sussex,E.Grinst'd.
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crooks, William
Crosfield, A. H.
Crossley, William J.
Curran, Peter Francis
Dalmeny, Lord
Dalziel, James Henry
Davies, Ellis William (Eifion)
Davies,M. Vaughan-(Cardigan)
Davies, Timothy (Fulham)
Davies,SirW.Howell(Bristol,S.
Dickinson,W.H.(St.Pancras,N.
Duckworth, James
Duncan,C.(Barrow-in-Furness)
Duncan, J. H. (York, Otley)
Dunne,MajorE.Martin(Walsall
Edwards, Clement (Denbigh)
Edwards, Sir Francis (Radnor)
Ellis, Rt. Hon. John Edward
Erskine, David C.
Esslemont, George Birnie
Evans, Sir Samuel T.
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Fiennes, Hon. Eustace
Foster, Rt. Hon. Sir Walter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Gladstone,Rt.Hn.Herbert John
Glen-Coats,Sir T.(Renfrew,W.)
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Gulland, John W.
Gurdon,Rt Hn.SirW.Brampton
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Harcourt,Rt.Hn.L.(Rossendale
Harcourt, Robert V.(Montrose)
Hardie,J.Keir(Merthyr Tydvil)
Harmsworth, Cecil B. (Worc'r)
Harmsworth,R.L.(Caithn'ss-sh
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey,W.E.(Derbyshire,N.E
Harwood, George
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Helme, Norval Watson
Henderson, Arthur (Durham)
Henderson,J.M.(Aberdeen,W.)
Henry, Charles S.
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobhouse, Charles E. H.
Hodge, John
Holt, Richard Durning
Hooper, A. G.
Hope,W. Bateman(Somerset,N
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Jacoby, Sir James Alfred
Jardine, Sir J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones,William(Carnarvonshire
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Leese,Sir Joseph F.(Accrington
Lehmann, R. C.
Lever, A.Levy(Essex,Harwich)
Levy, Sir Maurice
Lewis, John Herbert
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald,J.M.(Falkirk B'ghs)
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
Macpherson, J. T.
MacVeagh, Jeremiah(Down, S.)
M'Callum, John M.
M'Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren, Sir C.B.(Leicester)
M'Laren, H.D.(Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Markham, Arthur Basil
Marks,G. Croydon(Launceston)
Massie, J.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Montgomery, H. G.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murray,Capt.Hn A.C.(Kincard.
Myer, Horatio
Napier, T. B.
Nicholls, George
Nicholson,CharlesN.(Doncast'r
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
O'Grady, J.
Parker, James (Halifax)
Partington, Oswald
Pearce, William (Limehouse)
Philipps, Owen C.(Pembroke)
Pickersgill, Edward Hare
Pollard, Dr.
Price, C.E.(Edinburgh,Central)
Price,Sir Robert J.(Norfolk,E.)
Priestley, W.E.B.(Bradford, E.
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rees, J. D.
Rendall, Athelstan
Richards,Thomas (W.Monm'th
Richards,T.F.(Wolverh'mpt'n)
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts,Sir JohnH.(Denbighs.)
Robertson,SirG.Scott(Bradf'rd
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rogers, F. E. Newman
Rose, Charles Day
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Scott,A.H.(Ashton under Lyne)
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Colonel
Shackleton, David James
Shaw, Charles Edw. (Stafford)
Shaw, Rt. Hon. T.(Hawick, B.)
Sherwell, Arthur James
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanley, Albert (Staffs, N.W.)
Stanley, Hn.A.Lyulph(Chesh.
Steadman, W. C.
Stewart-Smith, D. (Kendal)
Straus, B. S. (Mile End)
Summerbell, T.
Sutherland, J. E.
Taylor,Theodore C.(Radcliffe)
Tennant,Sir Edward(Salisbury)
Tennant, H. J. (Berwickshire)
Thomas, Abel (Carmarthen, E.)
Thomas,Sir A. (Glamorgan, E.)
Thomas,David Alfred (Merthyr
Thompson,J.W.H.(Somerset,E
Thorne, G.R.(Wolverhampton
Tomkinson, James
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Walker, H. De R. (Leicester)
Walsh, Stephen
Walters, John Tudor
Walton, Joseph
Ward,John(Stoke upon Trent)
Wardle, George J.
Waring, Walter
Wason,Rt.Hn.E.(Clackmannan
Wason,John Cathcart (Orkney)
Waterlow, D. S.

Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker, Rt Hn. Sir Thomas P.
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Llewelyn (Carmarth'n
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J. (York, W.R.)
Wilson, J. H. (Middlesbrough)
Wilson, J. W. (Worcestersh. N.)
Wilson, P.W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton
Winfrey, R.
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE AYES, Mr. Joseph Pease and Master of Elibank.

NOES.

Anson, Sir William Reynell
Arkwright, John Stanhope
Ashley, W. W.
Aubrey-Fletcher, Rt. Hn. Sir H.
Balcarres, Lord
Baldwin, Stanley
Balfour, Rt. Hn. A. J. (City Lond.
Banbury, Sir Frederick George
Banner, John S. Harmood-
Baring, Capt. Hn. G. (Winchester
Barnard, E. B.
Barrie, H. T. (Londonderry, N.)
Beach, Hn. Michael Hugh Hicks
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Chamberlain, Rt Hn. J. A. (Worc.
Clark, George Smith
Clive, Percy Archer
Coates, Major E. F. (Lewisham)
Cochrane, Hon. Thos. H. A. E.
Collings, Rt. Hn. J. (Birmingham
Courthope, G. Loyd
Craig, Charles Curtis (Antrim, S.)
Craik, Sir Henry
Doughty, Sir George
Du Cros, Arthur Philip
Duncan, Robert (Lanark, Govan
Faber, George Denison (York)
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Gibbs, G. A. (Bristol, West)
Gooch, Henry Cubitt (Peckham)
Goulding, Edward Alfred
Gretton, John
Guinness, Hon. R. (Haggerston)
Guinness, W. E. (Bury S. Edm.)
Haddock, George B.
Hamilton, Marquess of
Harris, Frederick Leverton
Harrison-Broadley, H. B.
Hay, Hon. Claude George
Hills, J. W.
Hope, James Fitzalan (Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Kennaway, Rt. Hn. Sir John H.
Kerry, Earl of
Keswick. William
Kimber, Sir Henry
King, Sir Henry Seymour (Hull)
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Lee, Arthur H. (Hants, Fareham)
Lockwood, Rt. Hn. Lt.-Col. A. R.
Long, Col. Charles W. (Evesham)
Long, Rt. Hon. Walter (Dublin, S
Lonsdale, John Brownlee
Lyttelton, Rt. Hon. Alfred
M'Arthur, Charles
Magnus, Sir Philip
Marks, H. H. (Kent)
Mildmay, Francis Bingham
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
Nolan, Joseph
Pease, Herbert Pike (Darlington)
Percy, Earl
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Ratcliff, Major R. F.
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Renwick, George
Roberts, S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Ropner, Colonel Sir Robert
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Sassoon, Sir Edward Albert
Scott, Sir S. (Marylebone, W.)
Smith, Abel H. (Hertford, East)
Smith, Hon. W. F. D. (Strand)
Stanier, Beville
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.)
Talbot, Lord E. (Chichester)
Talbot, Rt. Hn. J. G. (Oxf'd Univ.
Thomson, W. Mitchell-(Lanark)
Thornton, Percy M.
Tuke, Sir John Batty
Walker, Col. W. H. (Lancashire)
Walrond, Hon. Lionel
Warde, Col. C. E. (Kent, Mid.)
White, Patrick (Meath, North)
Williams, Col. R. (Dorset, W.)
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE NOES—Sir Alexander Acland-Hood and Viscount Valentia.

Resolution to be reported To-morrow.

THE DISORDER IN THE GALLERIES.

MR. ASQUITH: Mr. Speaker, in view of the disorderly and discreditable proceedings which occurred to-night in the places to which strangers of both sexes are ordinarily admitted, I have, as Leader of the House, to ask you whether, in your opinion, any steps can or ought to be taken to maintain the dignity and order of the House.

MR. A. J. BALFOUR: Though I have not the same responsibility for the Whole House as falls to the right hon. Gentleman, I desire to associate myself with him, if I may.

*MR. SPEAKER: In reply to the right hon. Gentleman I have to say that, in consequence of what has occurred, the decencies of the House having been violated and the privileges granted by this House having been grossly abused, and not for the first time, I have felt it my duty, most reluctantly, to order that for a time the Strangers' Gallery and the Ladies' Gallery be closed.

Whereupon Mr. SPEAKER, pursuant to the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at Eleven o'clock.

HOUSE OF LORDS.

Thursday, 29*th October*, 1908.

PRIVATE BILL BUSINESS.

Kirkcaldy and Dysart Water Order Confirmation Bill [H.L.].—A Bill to confirm a Provisional Order relating to Kirkcaldy and Dysart Water. Was presented by the Lord Herschell; read 1ª; to be printed; and (pursuant to the Private Legislation Procedure (Scotland) Act, 1899, Section 7) deemed to have been read 2ª, and reported from the Committee. [No. 215.]

RETURNS, REPORTS, ETC.

COLONIES: ANNUAL.

No. 581. Mauritius. Report for 1907. Presented (by Command), and ordered to lie on the Table.

NEW BILL.

AGRICULTURAL HOLDINGS (SCOTLAND) BILL [H.L.].

A Bill to consolidate the enactments relating to Agricultural Holdings in Scotland. Was presented by the Earl Carrington; read 1ª, and to be printed. [No. 216.]

LOCAL AUTHORITIES (ADMISSION OF THE PRESS) BILL.

Order of the Day for the House to be put into Committee, read.

Moved, "That the House do now resolve itself into Committee."—(*The Earl of Donoughmore.*)

On Question, Motion agreed to.

House in Committee accordingly.

[The Earl of ONSLOW in the Chair.]

Clause 1:

LORD BELPER said the Amendment which he had placed on the Paper raised a question of some importance. This Bill was the first that he knew of that dealt with the Press quite apart from the public. As far as he was aware, the Press, wherever they were admitted, were admitted in the name of the public, and if for any reason it was desirable during any part of the proceedings of a local authority to clear the room where the meeting was held so that the proceedings should not be public, the public was excluded and with the public also the Press. In the same way, when a Court was cleared the public and the Press went out; the Press did not remain when the public was excluded. That being the case, he thought it was worthy of consideration whether it was wise in a Bill of this sort to ignore the question of the public altogether. In this particular clause only representatives of the Press were referred to, and he believed it was generally recognised that where one particular class of people was mentioned in an Act, other classes were excluded from its provisions. Therefore, if the Press was mentioned in the Bill without any reference to the public the position of the public as having rights to be present at the meetings in question with the Press would be considerably altered. He fully recognised that it was desirable that the Press should have adequate accommodation, representing as they did that portion of the public who could not be present; but there was no reason why the rest of the public should not be admitted as well. He had called attention to this matter on the Second Reading, and the more he considered the question the more undesirable it seemed to him to be that the public should be ignored in the Bill. He moved an Amendment to secure the object he had in view which would make the clause read—

> "The public, including representatives of the Press, shall be admitted to the meetings of every local authority."

Amendment moved—

> "In page 1, line 5, at the beginning of subsection (1) to insert the words 'The public including.'"—(*Lord Belper.*)

*THE EARL OF DONOUGHMORE said there was no intention whatever, on the part of anybody interested in the Bill,

The Asterisk (*) *at the commencement of a Speech indicates revision by the Member.*

to interfere in any way with the privileges at present enjoyed by the public. If the noble Lord really thought the public would be injured by not being mentioned in the clause, he would be perfectly willing at a later stage to put in a proviso to the effect that—

> "Nothing in this Act shall in any way prejudice the rights of the public to admission."

It would not be practicable in all cases to carry out the noble Lord's Amendment, seeing that the great majority of local authorities had no room for the public. The county councils and other important municipal authorities possessed large meeting halls in which they were able to accommodate the Press and the public, but this did not apply to many of the smaller authorities. The Bill, he was told, would affect some 7,000 parish councils throughout the country.

Lord BELPER asked how many of them the Press would attend.

*The Earl of DONOUGHMORE said it was extremely desirable that the Press should have power to attend all of them, and it was with that desire that the Bill had been drawn in its present form. It was not always advisable to allow the public to be present when it was advisable that the Press should be. Recent events in the London County Council made it necessary that the gallery should be cleared, but there was no reason to remove the members of the Press who knew perfectly well how to behave themselves. It was found necessary, he understood, the previous night to clear certain galleries in the House of Commons, but it was not found necessary to clear the Reporters' Gallery. He suggested to the noble Lord that if the Amendment were carried inconveniences might arise of this kind. If the noble Lord would be satisfied with some such proviso as he had adumbrated, he would be glad to arrange the matter with him before the next stage.

*Lord ALLENDALE, on behalf of the Government, said he wished to support the noble Earl in what he had said. There was no intention of excluding the public, but the Amendment of Lord Belper, which he understood was being moved on behalf of the County Councils Association, entirely altered the scope of the Bill. He believed all county councils admitted both the Press and the public, but it was almost impossible to arrange for the public to be present at meetings of the smaller bodies. He hoped Lord Belper would accept some such proviso as that suggested by Lord Donoughmore.

Lord BELPER could not conceive that there would be any difficulty at all in admitting the public as well as the Press even to the meetings of the smaller authorities. What was proposed by the Bill, but what he did not propose with regard to the general public, was that special accommodation should be set aside for the Press. The Press would have that special accommodation, and if there was any available room afterwards the public would be able to come in. The number of people desirous of attending parish council meetings was not likely to be very large. There did not seem to him to be any reason why a Bill which said that the Press should be admitted should not also say that the public should be admitted. The noble Lord who spoke for the Government had said that this Amendment was being moved on behalf of the County Councils Association. That was not so. The point struck him as requiring attention during the discussion on the Second Reading of the Bill, and therefore he had put down the Amendment on his own initiative. The other Amendments standing in his name on the Paper, however, were being proposed on behalf of the County Councils Association. As to the proviso which the noble Earl had suggested, it was rather difficult to withdraw an Amendment in favour of something the exact form of which was not before them.

*The Earl of DONOUGHMORE explained that the proviso which he suggested would, subject to legal revision, read—

> "Nothing in this Act shall in any way affect the rights enjoyed by the public of attending meetings of local authorities."

The Earl of CAMPERDOWN said there was this objection to that proposal, that it gave the Press an independent *status* of its own quite apart from the public, and that was taken exception to in their Lordships' House on the Second Reading.

LORD BURGHCLERE did not think Lord Belper's Amendment would carry out what the noble Lord himself desired. The noble Lord had said that the Press would necessarily be admitted to the meetings of the smaller bodies, and that if there was any room left the public might come in. But the Amendment would provide that the public as well as the representatives of the Press should be admitted to the meetings of every local authority. Therefore, if the Amendment were carried the public would have an equal right with the representatives of the Press.

*THE MARQUESS OF LANSDOWNE: My noble friend on my left pointed out a moment ago that, unless some Amendment of this kind were inserted, the clause would give to the Press a special privilege as distinguished from other classes of society. I think that is true; but, on the other hand, what we have to remember is that this is a Bill which does not purport to deal with the right of access of the public to these meetings, but especially with the right of the Press. Therefore, there does seem to me to be something to be said for dealing with the Press in a special manner. I understand that Lord Donoughmore is quite ready to insert words at another stage of the Bill which would safeguard any rights which the public now habitually exercise, and that, I venture to think, is the more appropriate way of dealing with the point.

LORD BELPER said that, after the discussion that had taken place, he would withdraw his Amendment for the present and wait to see the form which Lord Donoughmore's Amendment would take. His object was that both the Press and the public should have equal rights of entry, but he did not desire that the public should be allowed to take the seats set apart for the Press.

Amendment, by leave, withdrawn.

THE DUKE OF NORTHUMBERLAND moved to omit the first part of the subsection declaring that the representatives of the Press should be admitted, in order to insert: "Every local authority shall appoint one or more reporters who shall record the debates and proceedings of such authority." He said that his Amendments on the Paper appeared rather lengthy, but the first Amendment raised the whole question, the others being simply consequential. He thought he could claim Lord Donoughmore as a supporter of his Amendment, because the noble Earl had said that he aimed at the proceedings of every parish council throughout the country being reported. He was perfectly certain that if the noble Earl expected that, he would not get it. He did not much believe in the reporting in the local Press, because he knew what happened. The facts—that was to say, the bare agenda—was no doubt given. It was not necessary to have a Bill of this sort to secure that. Parliament might enact, if it were necessary, that every local authority should allow its agenda to be seen by the public, and then the newspapers could make what extracts they pleased. At present, discussions which took half-an-hour were reported in half-a-dozen lines, and the only discussions which was really reported at length were those of a personal character. If publicity were desirable—and he did not know that it was in the case of the proceedings of every little local authority—it must be secured in another way altogether, namely, by an official report. Official reporting, as they knew, had been a great success wherever it had been tried. The official reporting for *Hansard* in their Lordships' House he believed all their Lordships would agree was admirably done, and the reporting of Committees upstairs was first-rate. If they desired really adequate reporting of the proceedings of local authorities for the purposes of publicity they must have official reports. He did not himself think that this publicity was at all necessary. Indeed, he was not very much enamoured of his own Amendment, but he took it that the House, by passing the Second Reading of this Bill, had, provisionally, at any rate, expressed the opinion that publicity was desirable, and he had placed his Amendment on the Paper in order to take the view of the House as to whether the method he suggested was not the proper one of securing that object. But there was another great objection to the Bill as it stood. It placed the Press in a position it had never held before in this country. The Press, at present, had no official position, so far as he was aware, in England, although he was told it had in Ireland. By this Bill they were proposing to give gentlemen of the Press a *status* and a right which they had never had before. The Bill did not appear to meet with the approval of the Institute of Journalists. The Institute of Journalists objected to it very much, and the grounds of their objection were so curious that he would ask their Lordships' leave to read a few lines from a Memorandum which had been sent to him by that body—

> "If the measure be placed upon the Statute-book with this title it will be made to appear to judicial, public, and other authorities, and to all whom it will concern, as if there had been no previous provision 'for the admission' of the Press to the meetings in question. Whereas, to present common knowledge, there is, in long-established fact, very effectual provision. It is probably not necessary, in this connection, to inquire into the nature of the forces by which this provision is maintained—whether they include any element of the sanction or support of law, or whether they rest entirely upon the support of public opinion."

Therefore the Institute of Journalists were already claiming a legal right for Press representatives to be present at the meetings of local authorities. He did not think that assumption should be supported or justified. Why was the Press to be placed in a position in which no other member of the public was placed? It seemed to him that the Press should have exactly the same facilities as the rest of the public—neither more nor less. He objected very much to giving an official *status* to a set of gentlemen who lived by their excessive inquisitiveness, who were continually forcing themselves into everybody's affairs, who wanted to know what their Lordships took for breakfast, all about their houses, gardens, pictures, and everything else. He actually remembered an instance, not very long ago, where a friend of his had the management of the funeral of a near relative, and, desiring that it should be of a very private character, was made the subject of comment in the local newspaper because of the enormity that no provision for the Press had been made at the funeral, and that, therefore, they had been unable to give an adequate account of the proceedings. The tone of those gentlemen was that they had a right to go everywhere and see everything. He was not in favour of giving legal sanction to a class of persons in that temper and frame of mind. The noble Earl in charge of the Bill had stated, during the Second Reading discussion, that the decision in the case of the *Tenby Corporation* v. *Mason* was to the effect that the Press attended all meetings of local authorities practically on sufferance. He thought that was precisely the position in which the Press should remain. He had yet to learn that there had been experienced any difficulty on the part of the Press in attending the meetings of local authorities, except in this very exceptional instance, where there appeared to have been one newspaper which was distasteful to a number of the members. The method proposed in the Bill was not the right one for securing publicity, and, though not pretending that he was anxious for the appointment of an official reporter in the case of all these local bodies because he thought it was very unnecessary, he had placed his Amendment on the Paper for the purpose of indicating what, in his opinion, was the only proper method of securing that which it had been said was desired.

The Duke of Northumberland.

Amendment moved—

"In page 1, line 5, to leave out from the beginning of subsection (1) to the word 'Provided' in line 6, and to insert the words 'Every local authority shall appoint one or more reporters who shall record the debates and proceedings of such authority.'"—(*The Duke of Northumberland.*)

*THE EARL OF DONOUGHMORE said the noble Duke had a considerable advantage over him, and one which he did not anticipate that he would have. It appeared that the Institute of Journalists had sent round a Memorandum on the subject of this Bill. He presumed that many of their Lordships had received a copy, but the Institute had been careful not to send him one. He had not, therefore, had an opportunity of perusing it. But he might mention that the Institute of Journalists had nothing whatever to do with this Bill. They had no hand in drafting it, and the Bill was not being promoted on their behalf. In the document from which the noble Duke had quoted, it was apparently claimed by the Institute of Journalists that the Press had already a perfect right to attend all meetings of local authorities, but, as the noble Duke had pointed out, the judgment in *Tenby Corporation* v. *Mason* supplied a complete answer to that claim. He was told that the Institute of Journalists was a body of 2,500 members, of whom very few had much to do with reporting, and therefore were only a small percentage of the tens of thousands of journalists throughout the country who were intimately interested in the proposals of the Bill. His objection to the noble Duke's Amendment was that it amounted practically to the rejection of the Bill and the substitution of an entirely different measure in its place. The Bill did very little more than regularise and confirm the practice of admitting representatives of the Press to the meetings of local authorities, which was now general throughout the country. The noble Duke would exclude the ordinary Press representatives, and set up a system of official reports. These official reports would, in fact, operate against publicity, for they would not be ready until two or three days after the meeting. The public desired their news quick and consequently these reports would be of no use to the Press at all. It would also be a costly system, and no provision was made in the noble Duke's Amendments for defraying that cost. It would mean the appointment of an official reporter to every one of the 7,000 local authorities in the country.

LORD FABER said it did not follow that if the newspapers were supplied with long official reports of speeches they would publish them. Noble Lords were mistaken if they thought that the mere fact of an official reporter being present and taking down the discussions at the meetings of small parish councils all over the country would mean publicity, unless the Press were heavily paid to insert the reports.

*THE MARQUESS OF LANSDOWNE: I cannot help thinking that the proposal of the noble Duke might have somewhat inconvenient results if the Committee were to adopt it. My noble friend suggests that throughout the length and breadth of the country we should introduce a system of official reporting, even at the meetings of the smallest local authorities. Now there seems to me to be all the difference in the world between saying to the local Press, "You may be present at these meetings, you may report as much or as little as you please in the interests of publicity," and appointing all over the country reporters upon whom would be imposed the duty of compiling an official record of the proceedings. The noble Duke referred to the manner in which the proceedings in this House are reported, and I am sure we all agree with him that nothing could be more admirable than the manner in which that duty is performed. But does the noble Duke suppose that it would be possible to discover all over the United Kingdom reporters as competent to reproduce faithfully the local discussions which take place as the gentleman who reproduces our Parliamentary debates? I am afraid the result of the change would be this, that you would have all over the country a small army of third or fourth-rate reporters, whose reports, in spite of the absence of skill of those who made them, would be invested with a kind of artificial authority to which they really would not be at all entitled. For these reasons I am afraid I cannot support my noble friend's Amendment.

*LORD ALLENDALE intimated that the Government were opposed to the Amendment, as they considered it entirely outside the scope of the Bill. It was very doubtful, to his mind, whether the noble Duke's proposal was in order. The Bill might be a good Bill or a bad Bill, but the Amendment had really nothing to do with it. As Lord Donoughmore had pointed out, there were 7,000 parish councils in England and Wales, and he thought it rather absurd that one or more reporters should be appointed solemnly to record their debates at a very considerable expense.

LORD BELPER hoped the noble Duke would not press his Amendment. It would really be impracticable in practice, and would involve very heavy expense. Moreover, it was quite unnecessary that the discussions at the meetings of small local authorities should be reported at length.

THE DUKE OF NORTHUMBERLAND said he would withdraw his Amendment with the greatest pleasure. He did not very much believe in it himself. To set up a system of official reporting would be a waste of time and money; but the fact remained that it was the only way of having the proceedings of local authorities properly reported.

Amendment, by leave, withdrawn.

*THE EARL OF DONOUGHMORE moved to delete from subsection (1) the words " But nothing in this proviso shall empower a local authority to discriminate against the representative of any particular newspaper." He explained that these words were in the Bill before subsections (2) and (3) were added in the House of Commons, and, through an oversight, were not struck out. Subsection (2) was the really protective provision.

Amendment moved—

" In page 1, line 12, to leave out from the word 'interest' to the end of the subsection."—(*The Earl of Donoughmore.*)

On Question, Amendment agreed to.

*THE EARL OF DONOUGHMORE moved to amend subsection (3) which ran—

" (3) If any representative of the Press feels aggrieved by any such regulations made as aforesaid, he may appeal to the Local Government Board, and the Board may order such local authority as aforesaid to vary or alter such regulations in such a manner as they may think fit, and no regulations in so far as they are so varied or altered shall be subsequently varied or rescinded by the local authority without the consent of the Board,"

by omitting the words " feels aggrieved by," and inserting the words " is excluded under." It had been pointed out by Lord Wenlock on the Second Reading that the subsection as at present drafted might give any representative of the Press a right to appeal to the Local Government Board on the ground that he was not comfortable or that the accommodation with which he had been provided was not adequate, and endless trouble and confusion would be caused. It was never intended that that should be the effect of the subsection, and the object of his Amendment was to make the point clear.

Amendment moved—

" In page 1, line 23, to leave out the words 'feels aggrieved by,' and to insert the words 'is excluded under.' "—(*The Earl of Donoughmore.*)

EARL RUSSELL asked whether the noble Earl was quite sure that the subsection was not intended to refer to the accommodation provided. He had read it as referring exclusively to that. Without it the object of the Bill might be defeated by the provision of accommodation in some distant part of the building in which the reporters could neither write nor hear. In that case they would have no remedy under the Amendment although they would feel aggrieved.

THE EARL OF DONOUGHMORE was afraid that in such a case the reporters would have no remedy except what they could possibly secure as electors.

On Question, Amendment agreed to.

LORD BELPER, who had an Amendment on the Paper to omit subsection (3) altogether, said that, although the Amendment to which the Committee had just agreed made the subsection rather more practicable, it did not remove his objection, which was that it was perfectly impossible, in a matter of this kind, for the Local Government Board to supervise the arrangements made, not only by county councils, but by all the smaller local authorities throughout the country. It was impossible for this duty to be performed at a distance, and the Local Government Board staff had quite enough to do without being sent round the country to see whether reporters might not be provided with better accommodation. He understood that this subsection was inserted at the suggestion of the London County Council. He could quite understand that body desiring in this matter to have an arbitrator on the spot, and in that case there would be no difficulty. But it was quite impossible for the Local Government Board to exercise effective control over the accommodation provided throughout the country. He hoped the subsection would not be pressed, as it seemed to him totally unsuitable for the purpose for which it was intended.

Amendment moved—

"In page 1, line 23, to page 2, line 5, to leave out subsection (3)."—(*Lord Belper.*)

*The Earl of DONOUGHMORE defended the subsection. It was necessary to have some safeguard against unfair exclusion. There was a recent case at Tenby where a reporter was excluded on account of his personal opinions. This subsection had been introduced at the desire of the London County Council, their reason being that more reporters might wish to attend the meetings of the Council than accommodation could be provided for. The mere existence of such a safeguard would very often make its actual use in practice unnecessary The fact that the appeal existed would make local authorities careful to give no cause for appeal. The effect of the subsection would be more indirect than direct, and he did not think there was any fear that the Local Government Board would be overworked as a result of its insertion.

*Lord ALLENDALE said the Local Government Board had no particular desire to undertake the rather ungrateful task of arbitrating between the local authority and the aggrieved Press representative; but, on the other hand, they thought there ought to be some right of appeal. The Local Government Board were, therefore, prepared to accept the position of being the authority to be appealed to. If, however, the noble Lord would prefer some other authority, perhaps he would suggest one, and no doubt his suggestion would receive consideration.

The Duke of NORTHUMBERLAND asked if local authorities were to find accommodation for any number of Press men who attended?

Lord BELPER: Yes.

The Duke of NORTHUMBERLAND said it seemed so to him. In that case, it would in many instances mean building.

*Lord FABER thought the noble Duke need not be alarmed. There was not the least likelihood of twenty, thirty, or more reporters rushing to attend a parish council meeting. Reporters only attended the meetings of local authorities when the business was of vital public interest. In the belief that there was no likelihood of there being any such rush as had been referred to, he would vote against the Amendment.

The Duke of NORTHUMBERLAND said the county council over which he presided would find extreme difficulty in accommodating twenty reporters. If it really was the case that the Bill meant that local authorities were to find accommodation, at whatever inconvenience or expense to themselves, for any number of reporters who chose to attend, the provision should be amended in some way.

Earl RUSSELL said he spoke only from memory, but he was under the impression that by the existing law every ratepayer or parish elector already had the right to attend parish council meetings. Therefore, as far as the provision of accommodation was concerned, the existing law enforced that on even the smallest bodies.

The Marquess of BATH asked what was the use of the Bill if that were so. If every inhabitant could attend the meetings, where was the necessity for reporting them? His county council had sufficient accommodation for the representatives of the Press who attended; but if they were to have a great rush under this Bill were they to go to a large expense in structural alterations? He hoped Lord Belper would divide the Committee on the Amendment.

*The Earl of DONOUGHMORE pointed out that the subsection only referred to the exclusion by regulation. The point was that if a local authority made a regulation, excluding any individual journalist, he should have a right to appeal. A certain authority recently did make a regulation excluding a certain individual, and there had been other instances.

LORD BELPER said it had come to a pass when Parliament was asked to enact a provision of this kind because one or two authorities had done something exceptional. By this subsection the discretion of county councils with regard to their own buildings was to be placed in the hands of a central authority. Really, grandmotherly legislation was being carried in this way to a ridiculous extreme, and, in order to enter a protest, he would certainly divide the Committee on the Amendment. The noble Lord who represented the Local Government Board had suggested that if he (Lord Belper) did not like the Local Government Board to be the authority to be appealed to, some other authority should be named. That was not his business. But he did contend that people returned by the county to sit upon the county council were fully qualified to make the necessary arrangements in regard to their own council chamber.

EARL RUSSELL referred the noble Earl in charge of the Bill to the language of the subsection. Lord Donoughmore had said that what might be appealed against was a regulation excluding the reporter or his newspaper. But the words in the subsection were that the regulations which might be appealed against were "regulations made as aforesaid." Those were the regulations contained in subsection 2, and no regulation made under that subsection could possibly exclude the representatives of any newspaper.

*THE EARL OF DONOUGHMORE said that the manner in which the accommodation, referred to in subsection 2, was allotted could easily exclude certain individuals.

THE EARL OF KIMBERLEY doubted whether, even if the subsection remained as it stood, an increased number of reporters would wish to attend the meetings. If they did, they would only ask for reasonable accommodation.

*LORD ALLENDALE, replying to Lord Belper's contention that the Local Government Board could not know the local circumstances, said that if there was an appeal the Board would, of course, send someone down to hold an inquiry and report. They would not capriciously make an order without ascertaining the circumstances.

*THE MARQUESS OF LANSDOWNE: My Lords, I confess that what I have heard said in reference to this subsection does not increase my affection for it. It appears to me to involve a great deal of what looks like superfluous legislation, and the question I should like to ask some Member of your Lordships' House who can speak with authority on the legal point is this. We have, in subsection (1), given representatives of the Press the right of being admitted to all these meetings. Suppose you say nothing more after that, and one of these local bodies endeavours to exclude a Press representative, would it not be the case that he would have a remedy at common law without the elaborate precautions proposed to be taken under this subsection? If that is so, then I say leave the subsection out.

*THE EARL OF DONOUGHMORE said that if he accepted this Amendment now it was only in order that he might consult the London County Council on the subject. He might desire to reintroduce it, confining its operation to London.

THE CHANCELLOR OF THE DUCHY (Lord FITZMAURICE) said he did not presume to address their Lordships on the legal point raised by the noble Marquess the Leader of the Opposition; but he wished to insist upon this, that what the Committee were now discussing could not apply to anything that occurred under subsection (1). The only point before the Committee at the moment was the regulations which could be made under subsection (2).

On Question, Amendment agreed to.

*THE EARL OF DONOUGHMORE moved to amend the fourth subsection, which ran—

> "(4) On receiving a written request from the editor or the local representative of any newspaper, the clerk or other responsible officer shall send due notice of the meetings of the local authority to the office of such newspaper or to such local representative,"

by leaving out the words "or the local representative." This subsection had, he said, met with a great deal of criticism during the Second Reading discussion, and it was to meet that criticism that he had placed on the Paper the Amendments standing in his name to the subsection. The words as they stood were originally inserted because it was felt that the local representative was on the spot and that it would be more convenient that he should be communicated with. It had, however, been suggested that difficulties might arise, and therefore he now proposed to confine the provision to the editor of any newspaper.

Amendment moved—

"In page 2, lines 6 and 7, to leave out the words 'or the local representative.'"—(*The Earl of Donoughmore.*)

On Question, Amendment agreed to.

*THE EARL OF DONOUGHMORE moved to insert in subsection (4), after the word "newspaper," the words "ordinarily represented at the meetings of the local authority." He explained that these words were in the Bill as originally drafted, but were accidentally omitted.

Amendment moved—

"In page 2, line 7, after the word 'newspaper' to insert the words 'ordinarily represented at the meetings of the local authority.'"—(*The Earl of Donoughmore.*)

On Question, Amendment agreed to.

Consequential Amendment agreed to.

LORD BELPER then moved the omission of subsection (4). He explained that this Amendment was put down on behalf of the County Councils Association, but he felt that the Amendment to which the Committee had just agreed considerably modified the subsection as it had previously stood. In its old form the subsection enabled any representative of any newspaper throughout the country to call upon the clerk to send him due notice of the meetings of the local authority. The custom of the county council with which he was connected was to send not only notices of the meetings but also the agendas to those newspapers which were habitually represented at the council meetings. He believed that was the practice in the case of county councils throughout the country, and therefore, so far as those bodies were concerned, the provision in the Bill would not alter the present procedure, but would make what was a practice by courtesy a law by statute. He was not competent to say whether the proposal would be met by other local authorities in the same spirit; but, as far as county councils were concerned, he would not be inclined, if those with whom he generally acted and who represented county councils took the same view, to press his Amendment for the entire omission of subsection (4) now that it had been amended.

Amendment moved—

"In page 2, lines 6 to 10, to leave out subsection (4)."—(*Lord Belper.*)

THE EARL OF CAMPERDOWN hoped this Amendment would be insisted upon. The present practice had been explained by Lord Belper. The county clerk was one of those maids-of-all-work on whom everybody, the Treasury included, thought they had a right to impose duties. The more they heard of this Bill the more absurd its enactments seemed, and on the Third Reading he did not know whether he should not move its rejection.

*THE EARL OF DONOUGHMORE alluded to the case of certain councils in Ireland in which the majority continually arranged their meetings at about half-an-hour's notice, in order that important business might be got through without being discussed, and without anybody knowing anything about it. That was an example of what might happen if this Amendment were carried.

THE DUKE OF NORTHUMBERLAND said that, with all due respect to the noble Earl, he objected to legislation for England being proposed for the benefit of Ireland. If the provision was to be effective it would prevent meetings being held unless, forsooth, the Press had received sufficient notice. That would seriously interfere with the business of local government.

*THE EARL OF DONOUGHMORE explained that the subsection did little more than give a statutory authority to what was already a common practice.

On Question, Amendment agreed to.

Clause 1, as amended, agreed to.

Clause 2:

LORD COURTNEY OF PENWITH moved an Amendment to include within the definition of the phrase "representatives of the Press," "any person qualified as a journalist according to the charter and bye-laws of the Institute of Journalists." He said he had no active connection with the society in question, but had had the honour some ten or twelve years ago of being elected an hon. Fellow with a late Lord Chief Justice of England and an eminent and universally known French novelist and journalist who was also deceased. By the Bill, so far as their Lordships had approved of it, access was secured to accredited representatives of particular newspapers. As he construed the Bill, no Pressman had a title to admission unless he attended as the appointed representative of some particular newspaper. As a matter of fact there were persons, especially in large towns, who were not accredited representatives of a particular newspaper, but carried on journalistic work. They attended the meetings of local authorities and picked up what was of public interest, and this they sent to various newspapers. These journalists were doing useful work, but at present they did not come within the scope of the Bill. Referring to the Institute of Journalists, he said it came into existence some eighteen years ago and possessed the unique distinction of a Charter from the Crown. No other body of journalists had that distinction, and the Institute secured that journalists who were admitted to membership should possess the necessary advantages of training and ability to enable them to discharge their work. No doubt other associations might put in a claim for recognition, but they were purely voluntary associations not recognised in the way that the Institute of Journalists was recognised. The body promoting this Bill was organised simply as a trade union, whereas the Institute of Journalists, as he had said, enjoyed a recognised *status* through the possession of a Royal Charter. He understood that the membership far exceeded the figure stated by the noble Earl; it had about 5,000 members, and no other society of journalists had a membership much above 2,000. He was informed that the society promoting this Bill had only a membership of 1,500. He submitted that the Institute of Journalists had a full claim to recognition in the way proposed.

Amendment moved—

"In page 3, line 10, after the word 'newspapers,' to insert the words 'and shall include any person qualified as a journalist according to the charter and bye-laws of the Institute of Journalists.'"—(*Lord Courtney of Penwith.*)

*THE EARL OF DONOUGHMORE hoped the noble Lord would not consider it necessary to press the Amendment. The clause as it stood provided that—

"The expression 'representatives of the Press' means duly accredited representatives of newspapers and of news agencies systematically carrying on the business of selling and supplying reports and information to newspapers."

He regretted that he had been misinformed as to the membership of the Institute of Journalists; 2,500 was the number given to him, but he was sure the noble Lord's figure would be correct. But, even with a membership of 5,000, the Institute of Journalists could not claim to include a majority of the journalists who had been carrying on such work as the Committee were considering. He was told that the Institute comprised a great many owners and managers of newspapers, persons interested in literary work and so on, who would not really be concerned in the matter at all. He fully admitted that the Institute of

Journalists was the largest, the most important, and the oldest journalistic organisation; but he did not see any sufficient ground for giving the Institute a position as a privileged body.

LORD COURTNEY OF PENWITH said he was convinced that the practice of the past would continue, and that the journalists in question would be able to secure admission, notwithstanding anything in the Bill. He, therefore, withdrew the Amendment.

Amendment, by leave, withdrawn.

Clause 2 agreed to.

Clauses 3 and 4 agreed to.

Clause 5:

THE EARL OF CAMPERDOWN moved an Amendment substituting for the last of the paragraphs defining the expression "local authority" the following:—"Any other local body, board, joint board, or committee which has, or may hereafter have the power to make a rate, and which does not require to report its proceedings to any other local authority." He explained that county councils in Scotland considered that it was not only unnecessary but undesirable that this power should extend to all meetings of committees and sub-committees and small bodies. They were also afraid that as the clause stood an absolute right would be given to the Press to be present at the meetings of standing joint committees. The substantial intentions of the Bill would not be interfered with by the Amendment.

Amendment moved—

"In page 3, lines 27 to 31, to leave out Paragraph (*c*), and to insert the following new paragraph: (*c*) Any other local body, board, joint board, or committee which has or may hereafter have the power to make a rate, and which does not require to report its proceedings to any other local authority."—(*The Earl of Camperdown.*)

*THE EARL OF DONOUGHMORE did not object to the change if it was satisfactory to the Scottish Office. He was not competent to judge whether in the case of Scotland the noble Earl's words were calculated to attain what he desired; but he had never known the noble Earl wrong on Scottish matters, and therefore would accept the Amendment.

LORD HERSCHELL signified the assent of the Scottish Office to the Amendment, but said the expression "impose a rate" would be more in accordance with Scottish phraseology than "make a rate."

THE EARL OF CAMPERDOWN accepted this verbal alteration.

On Question, Amendment, as amended, agreed to.

Clause 5, as amended, agreed to.

Clause 6:

THE EARL OF CAMPERDOWN called attention to subsection (2), which provided that the Act should not extend to Ireland. He could not help remarking upon this subsection. The Bill was Hibernian from beginning to end. It was proposed by an eminent Hibernian, who was most anxious that there should be the fullest publicity in connection with every hole and corner meeting except in Ireland. Why in the world was publicity so desirable everywhere else except in Ireland?

THE EARL OF DONOUGHMORE: Because we have got it.

Clause agreed to.

Bill re-committed to the Standing Committee, and to be printed as amended. [No. 217.]

SMALL HOLDINGS.

LORD MONK-BRETTON: My Lords, I rise to ask His Majesty's Government what is the period of years which the Local Government Board, under the powers given to them by Section 14 of the Small Holdings Act of 1907, are prepared to authorise for the repayment of loans incurred for the following purposes respectively; Purchase of freehold land; construction of buildings on freehold land; adaptation of freehold land for small holdings; payment of tenant rights; construction of buildings on leasehold land; adaptation of leasehold land for small holdings.

This question is one of some importance to local authorities who have to administer the Small Holdings Act, and as His Majesty's Government have preferred that it should be deferred until to-day, I hope they will be able to give me a direct answer to the Question. It is important to local authorities because they have to recoup out of the rent which they are to charge for small holdings the expense of the equipment of them, and local authorities are unable to fix a rent because they do not know what are the terms for the repayment of these loans. Until they are able to fix the rent they cannot expect applicants to agree to take the holdings, and until they can get the applicants to agree to take the holdings it is a waste of money for the local authority to equip them. Therefore the whole of the administration of the Act is hung up by the fact that the periods for the repayment of these loans are not known.

I notice, from another Question on the Paper, in the name of the Earl of Kimberley, that one county council, at any rate, has rushed in with its scheme before it knew exactly what was going to be the answer to my Question, and is now regretting its precipitancy. I belong to a county council which has been more cautious. That local authority wrote to the Local Government Board and asked practically the questions which I have placed on the Paper. The Local Government Board, in their reply, said that as regards freehold land the term of repayment was to be eighty years, and that as regards loans for the payment of tenant right valuation it was also to be eighty years. They then proceeded—

> "The Board are unable to say what periods would be allowed for the repayment of loans in respect to the value of existing buildings on the land to be purchased, or the alteration of such buildings, or the erection of new buildings, in the absence of full information as to the age and condition of the buildings, the nature of the works to be carried out, and the buildings to be erected."

They further stated, with regard to the question of leasehold land and buildings on leasehold land—

> "It would not accord with the Board's usual practice to allow for the repayment of loans for works on leasehold land a longer period than the unexpired term of the lease."

I should like to ask if this is a final answer, for, if it is, it will not make the Small Holdings Act very easy to carry out.

I will first deal with the statement of the Local Government Board, with regard to buildings on freehold land, that they will require full information in regard to every one of those buildings. The local authorities cannot fix the rent until they know what the period for the repayment of these loans is to be, and now, on the top of that, they have to submit, I take it, every building, cottage, and pigsty to the Local Government Board for that authority to say for what period they will lend money on those particular buildings. If every local authority has to do that the applicants for small holdings will be dead before the small holdings are equipped Then I come to the statement of the Local Government Board that the term for the repayment in respect of leasehold land is to be the same as the term of the lease. In that case these small holders will have to pay such a rent as will recoup to the county councils, not only the interest on the money expended on the lease, but also the interest on the buildings within the term of thirty-five years. The result will be that the rent will be too high, and the leasehold part of the Act will become practically a dead letter. Therefore county councils will be driven from leasing to purchase.

A great many of these applicants for small holdings are applying for land close to towns. That land generally has a prospective building value, and therefore it would be much more economical if the county councils could lease it than if they are, as they will be under this regulation of the Local Government Board, forced to purchase; and, if they are forced to purchase, Clause 33 of the Act becomes nugatory. There is one other point upon which I should like some information. The Local Government Board, in the letter which I have quoted, say that for tenant right valuation the term for repayment is to be eighty years, which seems to be a very liberal term. Why is it so liberal? For how long will these county councils be out of pocket in respect of this matter? Merely for the period between the departure of the outgoing farmer and the arrival of the incoming farmer. That will be a period of six months or a year, and it seems most unnecessary that that loan should be extended over a period of eighty years, unless, of course, His Majesty's Government mean something quite different. What I would ask the noble Lord who represents the Local Government Board to tell me is this: Do they intend by that regulation that small holders are not to pay valuation upon their small holdings when they come in? That will make a very considerable difference to the security of the rates out of which failures have to be recouped.

I hope the noble Earl will be able to give a straightforward answer—I beg his pardon, I mean a direct answer—because it is very hard that local authorities should not know which way to turn in this matter. Since this letter arrived the local authority concerned has had a visit from one of His Majesty's Commissioners, to whom the letter was shown. He had never seen it, and he gave us a good deal of advice, but asked us to treat that advice as private. Therefore I am not authorised to quote it in your Lordships' House, but what fell from His Majesty's Commissioner differed altogether from the letter of the Local Government Board which I have quoted.

THE EARL OF KIMBERLEY: My Lords, it has been suggested that the noble Lord who will reply on behalf of the Local Government Board should answer at the same time the Question standing in my name on the Paper. I therefore beg to ask why the loans granted to the county council of Norfolk for the purchase of lands for small holdings are based, as regards the land, on a redemption of the loans in eighty years, but, as to the buildings on the lands, on a basis of redemption in fifteen years; also, if he is aware that this is entirely at variance with the schemes as sanctioned by the Board of Agriculture for the purchase of these lands, and that consequently on one estate purchased by the county of Norfolk the rent will have to be increased by 10s. an acre, which is more than the tenants can be expected to pay, and that therefore the loss must be made up by the Imperial Exchequer and ratepayers.

The noble Lord opposite, Lord Monk-Bretton, stated that the Norfolk County Council had rushed into this matter and was now regretting its precipitancy. On 5th August we received a communication from Whitehall stating that, as a general rule, county councils would be able to acquire land much more easily if they were willing to purchase, and the Board hoped that county councils would not restrict their powers in any way by confining themselves to hiring. When we received that letter we endeavoured to carry out the ideas of the Board of Agriculture. It is, of course, much more satisfactory to buy land than to hire. No county council would ever dream of building, except in a small way, on hired land. Our grievance is this, that, having carried out the suggestions of the Board of Agriculture and had schemes passed on the basis of redemption in eighty years, we were then told, on applying for the loan, that we could not have it on those terms. On one estate purchased by the county of Norfolk at a cost of £3,560, and which we calculated we could let at 50s. an acre, the effect of basing the loan in respect of buildings on redemption in fifteen years is that the rent should be increased by 10s. an acre, but of course it is quite impossible to ask for that amount. The buildings, with proper management, will last 50 or 100 years, and to require the loan to be repaid in fifteen years makes it absolutely impossible to administer the Act. Like all the other Acts passed for small holdings, this Act becomes a farce and a burlesque. We purchased another piece of land for £2,500, and unless the period of redemption is eighty years, or, at any rate, a very much longer period than fifteen years, for the buildings, we shall not be able to make it pay. Yet I would take the land off the county for £2,800—a profit of £300 on their bargain—and let out to tenant farmers and make a good profit. There is no difficulty with regard to tenant right. We pay for the tenant right at valuation on everything we take over and sell to the incoming tenant, and if the incoming tenant does not want to purchase we sell it to somebody else. The Act of Parliament says we are to have schemes from the Board of Agriculture. We have carried out their schemes according to their own figures, and now we find ourselves in the unpleasant position I have described. It is a case of my Lord Carrington proposes and the Grand Seignior Burns disposes.

THE EARL OF HARROWBY: My Lords, I should like to ask whether the buildings referred to by the noble Earl are of timber and corrugated iron, or substantially built of brick with tiled roofs. An inspector from the Board of Agriculture visited my small holdings in Staffordshire, and expressed the hope that the Board would allow county councils to erect a cheaper form of buildings. Of course, if the buildings are cheap—that is to say, of timber and corrugated iron—eighty years would be too long a period over which to spread the repayment; but, on the other hand, if the buildings are substantially built, then I think they would, with care, last eighty years, and I daresay the county authorities would see that they were kept up.

THE EARL OF KIMBERLEY: We bought the whole farm with all the buildings. They are nothing more nor less than ordinary brick-built farm buildings, and I undertake to say they will last quite sixty or seventy years.

*LORD ALLENDALE: My Lords, I will, with the permission of your Lordships, answer together the two Questions that have been put to me. The Question standing in the name of Lord Kimberley is, as your Lordships will see, addressed to the President of the Board of Agriculture, but as the loans have to be sanctioned by the Local Government Board it may be convenient that I should reply to that Question also.

I will first answer the Question put by Lord Monk-Bretton. As your Lordships no doubt are aware, money can only be borrowed for the purposes of the Small Holdings and Allotments Act, 1907, with the sanction of the Local Government Board. The maximum periods of repayment of loans for these purposes are fixed by statute and are as follow: Where money is borrowed for the purchase of land, eighty years, and for any other purpose, fifty years. The consent of the Local Government Board is necessary to the period of repayment in each case, but the period is, of course, subject to the statutory limits. The periods to which the Board are prepared to consent are: Loans for the purchase of freehold land, eighty years; for buildings, fifty years—although the usual period is for thirty years the Local Government Board are prepared to consent to loans for fifty years if the probable life of the building is not less than this; for other buildings or equipment, a less term proportionate to the probable life of the particular work. If land is held on lease with less than fifty years unexpired the period would not exceed the period of the lease, unless at the expiration of the lease compensation will be payable to the local authority in respect of the buildings, and the compensation will be applied in paying off the debt; in which case the period for the loan might be longer than the unexpired period of the lease. Compensation as a general rule would be so payable. Any payment for the tenant right which a small holder could not reasonably be expected to repay to the council would be treated as part of the purchase money. Of course, the circumstances of each case will have to be taken into account. The noble Lord suggested that if the details respecting every pigsty, and so on, had to be gone into, it would be a very lengthy process. Of course the Local Government Board will have to satisfy themselves as to the condition of the buildings, but I do not think it need take a very long time. They will consult the Board of Agriculture, who, of course, will have reports from their experts. I do not think there need be anything like the delay suggested by the noble Lord.

In reply to the Question put by Lord Kimberley, I have to say that one of these loans in the county of Norfolk was for fifteen years for buildings, some of which were old and dilapidated. Since, however, the sanction was given, the question of the periods to be allowed for loans under the Small Holdings and Allotments Act has been further considered, and it is intended in future to fix the periods in accordance with the intimation I have just given in the Answer to Lord Monk-Bretton. The county council have asked the Board to reconsider the period of fifteen years referred to by Lord Kimberley, and this request will now be dealt with on the lines already indicated in that reply.

THE PRESIDENT OF THE BOARD OF AGRICULTURE AND FISHERIES (Earl CARRINGTON): My Lords, I hope the House will be satisfied with the very clear statement which has been made by my noble friend. The periods are to be eighty years for land and fifty years for buildings. We are obliged to the two noble Lords for having brought the question forward. We can quite understand the anxiety of my noble friend behind me, Lord Kimberley, who has done such good work in the county to which he belongs in the cause of small holdings. But it should be remembered that the Act is in its infancy, and the Local Government Board have had to make a new departure. I may say that I am perfectly satisfied with the terms announced by my right hon. friend the President of the Local Government Board, and I think there is very little doubt, now that the matter is finally settled, that the Act will be able to work smoothly and quickly.

OLD-AGE PENSIONS—TREASURY REGULATIONS.

THE EARL OF CAMPERDOWN: My Lords, I rise to move, "That an humble Address be presented to His Majesty, praying that His Majesty will annul Regulation No. 25 which has been laid before Parliament in pursuance of the Old-Age Pensions Act, 1908." I propose to ask your Lordships to agree to this Motion for two reasons. The first is that already the Treasury and the Local Government Board seek to impose on county councils a charge which, so far as I can ascertain, they have no legal authority to impose, and which the county council has no legal power to comply with. My second reason is that the Treasury proceeds to direct that this shall be charged upon the general county fund, "any statute to the contrary notwithstanding." To me it appears that that is an attempt, on the part of a Department, to dispense with statutes—a power which, so far as I know, has never been exercised even by Parliament itself, and which I believe has never hitherto been claimed by any Department.

If this were my own opinion only, I should attach comparatively little importance to it, because the question is to a considerable extent a legal one; but I have consulted several eminent persons learned in the law, and they all take the view which I have mentioned to your Lordships. I have the authority of Lord Halsbury, who unfortunately has been ordered by his doctor not to leave his house to-day, to say that in his opinion the action of these two Boards in this matter is both illegal and unconstitutional.

In order to explain my Motion I think it will be better that I should remind your Lordships first of all what are the powers and duties of county councils under the Old-Age Pensions Act; secondly, what are the powers given to the Treasury by the Act in regard to finance; and, thirdly, that I should point out what the Treasury and the Local Government Board have actually done in this Regulation. Under Section 8, subsection (1), of the Act, county councils and borough councils are directed to appoint pension committees. When they have done that they have discharged their whole duties. They are not mentioned again in the Act, and, as soon as they have made these appointments they are, so far as I read the Act, *functus officio*. Further than this, your Lordships will remember that the Pensions Act throughout the whole period of its passage, both through the other House and this House, was treated as being entirely a national Act, a matter for the taxpayers and in no sense as connected with local government or with local rates; and your Lordships will find stated in two or three places in the Act that the whole of the money is to be found by Parliament.

Let me make another observation with regard to county councils and their power of complying with the demand to make an advance under this Act. So far as I have been able to ascertain, county councils are bound strictly by the Local Government Acts, and in levying the rates and appropriating them they are bound by the statutes; their accounts are liable to audit, and, if they make any illegal charges, my belief is that they would be liable to surcharge by the auditor. Let us turn now to the Treasury and the Local Government Board. What powers are given to them as to the finance in the Act? The first subsection of Clause 10 of the Act provides that—

> "The Treasury in conjunction with the Local Government Board and with the Postmaster-General (so far as relates to the Post Office) may make regulations for carrying this Act into effect, and in particular"—

And the last of the three following paragraphs reads—

> "(*c*) As to the number, quorum, term of office and proceedings generally of the local pension committee and the use by the committee, with or without payment, of any offices of a local authority, and the provision to be made for the immediate payment of any expenses of the committee which are ultimately to be paid by the Treasury."

Those words, as I read them, mean any provision which can be made legally, that is, without departing from statutes to the contrary. If Parliament had intended to say that they might make any provisions they chose Parliament would have said so, and would have stated that they might make provision "notwithstanding any statutes." But Parliament did nothing of the kind, and one can only read the words as they stand in the statute.

Now what has the Treasury done? I refer your Lordships to Regulation No. 25—

> "25.—(1) For the purpose of providing for the immediate payment of any expenses properly incurred by any committee (including any expenses properly incurred by any sub-committees appointed by the committee) the council by whom the committee was appointed shall from time to time advance such sums as may be necessary to provide for the payment of those expenses."

Under what part of the statute is power given to impose a charge on the county council? Not only that, but supposing this charge is made, what power has the county council to comply? They are bound by the various Local Government Acts. This Old-Age Pensions Act was never contemplated in the Local Governments Acts, and Parliament has distinctly stated that it is not an Act connected in any way with local government. Then I ask, what power have they to order the advance to be made? I think the Treasury entertained some doubt as to whether their action was legal, because if your Lordships will read on, you will find this provision—

> "Any sum so advanced by the council shall, notwithstanding any statutory provision to the contrary, be provided out of the county fund."

Do not those words show that the Treasury were aware that they were acting contrary to statute? Again, what power had the Treasury to say that this was to be a charge on the county fund?

The words "notwithstanding any statutory provision to the contrary," appear to me, as they appear to my noble and learned friend Lord Halsbury, to be unconstitutional. Here is a Department arrogating to itself a right to dispense with the statutes. Such a right has never been exercised by Parliament itself. When Parliament wishes to alter a statute it alters it, but it does not begin by disobeying it. I lay stress upon this because it is the general tenor of the legislation now coming before this House. I appeal to the noble Earl the Lord Chairman of Committees whether an attempt is not being continually made by Departments to arrogate to themselves the powers of Parliament. I cannot believe that His Majesty's Government will support this, because, if I may be permitted so far to transgress the order of debate, I would refer to an incident that occurred in the House of Commons only two days ago. The Town Planning Bill was under consideration, and there was in that Bill a clause very similar to this, but with this important difference, that the Local Government Board was asking the consent of Parliament to do away with statutes; it was not doing away with them without asking permission. But when the matter came before the Committee they decided that no Department could be allowed to interfere with public statutes, and the Government accepted an Amendment on the point. Therefore it seems to me that the Government can hardly defend what has been done in this case.

Turning to another aspect of the question, it may be argued that there was no other way of carrying out the Act except by imposing this charge. If your Lordships will read subsection (3) of Regulation No. 25 you will see that the Treasury provide a way themselves. The subsection runs—

> "The Treasury may, for the purpose of providing for the payment by any such council of any such expenses, if they think fit so to do, advance to the council such sums as the Treasury think proper for the purpose, and the council shall apply the sums so advanced accordingly."

Therefore it was within the power of the Treasury to do this in all cases, and there was no necessity, as far as I can see, for them to go to the county council. What is there in the Act which in any way suggests the county council rather than any other body, private or public—let us say, for instance, the Licensed Victuallers' Association—as the body on whom the charge is to be made?

Just let us suppose a case. Suppose that the Regulation stands and that some county councils, as very probably they will, decline to comply with it, and say that it is not their duty to find funds and that they have no legal power to do so. What will happen then? Will the Treasury apply for a *mandamus*? I put that point to Lord Halsbury to-day, and he informed me that in such a case he believed the Judges would be compelled to find that there was no legal authority in the Treasury to direct the making of this charge, or in the county council to impose such a charge. What is the cause of this regulation, because obviously it has not been very fully considered? The cause really is hurry. The Bill came up to this House on 20th July and we had finished it, very much against our will, by 30th July. Many noble Lords desired the consideration of the Bill to be postponed until the present time, and the only reason we did not insist upon that was that the Government informed us they would not be able to bring the Act into operation by 1st January if postponement were insisted upon. What is the consequence? These Regulations were drawn up in tremendous haste. Parliament adjourned on 1st August. Looking at the Regulations casually you might suppose that they were issued on 15th October, the date which appears on the front page, but at the bottom of page 16 there is a line to this effect—

> "These regulations shall be deemed to have had effect as from the 20th day of August, 1908."

So these Regulations appear to have been drawn up in three weeks. They are signed by two Lords of the Treasury, by the President of the Local Government Board, and also on behalf of the Local Government Board for Ireland, but I do not believe that any one of those Ministers signed them in any other way than ministerially.

How is it possible that a set of Regulations affecting an intricate Act of this sort could be properly drawn up in three weeks and examined by the various Ministers who signed them? I am quite sure that all the permanent officials at the present time are very much overworked. I may say further that there are, in my opinion, other irregularities in these Regulations and Instructions to which I may call your Lordships' attention on some future occasion. For the present, however, I will limit myself to Regulation No. 25, which appears to me to be the chief offender. If Regulation No. 25 stands and Parliament permits it to have the force of law, then a most mischievous precedent will have been created, because you will have passed a Regulation under which two Departments acted in defiance of statutes and placed themselves above the law.

Moved, "That an humble Address be presented to His Majesty, praying that His Majesty will annul Regulation No. 25 which has been laid before Parliament in pursuance of the Act."—(*The Earl of Camperdown.*)

*LORD FITZMAURICE: My Lords, nobody can be astonished when any question bearing upon county finance, however indirectly, claims the attention of your Lordships' House, because we are all aware that there is at the present time, not at all unnaturally, great anxiety in regard to local finance generally and the constant growth of our rates. Therefore, every proposal, however small, which directly or indirectly throws, or appears to throw, an increased burden upon the ratepayers. is scanned with extreme jealousy in this House and in the House of Commons.

The noble Earl has dealt with the legal aspect of the matter as well as the financial aspect, and, in regard to the former, he has had the advantage, of which he has availed himself very fully, of delivering to the House a message from a high legal authority whose absence from his place this evening, and still more the reason, we all deeply regret. But I cannot help thinking that messages of this kind, even when coming from a high and much-respected source, are in many ways inconvenient, but chiefly because they place the House at a disadvantage. They partake of the nature of hearsay evidence, if I may take what may seem, perhaps, a technical objection, and are subject undoubtedly to the disadvantages which attach to all statements made upon the authority of a person who is not present and cannot be called upon to reply himself.

In regard to the legal aspect, though, of course, your Lordships cannot possibly attach that importance to any opinion of mine which attaches to the opinion of the noble and learned Earl, I think I shall be able to show without very great difficulty that my noble friend has, to say the least, very greatly overstated his case. A reference to Clause 10 of the Pensions Act will show that the Treasury have power to make Regulations, which shall have the force of law, and, amongst other things, provision can be made for the immediate payment of any expenses of the pensions committee which are ultimately to be paid by the Treasury. That is absolutely free from any possibility of contradiction. It appears on the face of those words that Parliament evidently contemplated payments being made in the first instance by one set of persons and the repayment by another. That is absolutely clear.

Therefore, what we have to consider is, is there anything in the Act which prohibits the Treasury from selecting and calling upon the county council, or the borough or urban district council, as the case may be, to make the advance in the first place? That point my noble friend Lord Camperdown did not attempt to deal with seriously. He seems to think that, because there is no express direction in the Act to the local authority to pay, this Regulation is *ultra vires*. I put the exact converse to your Lordships. There are no words of limitation in the Act, and therefore, the Treasury had full power to select the authority to make the payment in the first place. That brings me to my second contention, which is that it would have been exceedingly inconvenient if the Treasury had selected any body other than the local authority to make the advance. The whole Act is based upon the co-operation of the Treasury and these local authorities.

THE EARL OF CAMPERDOWN: No, no.

*LORD FITZMAURICE: I should have thought that was a matter not in dispute.

THE DUKE OF NORTHUMBERLAND: Will the noble Lord quote the clauses?

*LORD FITZMAURICE: I refer to the whole Act. I say it is based upon the harmonious working of these local authorities and their committees with the Treasury. The Act of Parliament itself certainly indicates the local authority as being the body to which the Treasury would look to make the advances.

THE EARL OF CAMPERDOWN: Where is that in the Act?

*LORD FITZMAURICE: I understand that the noble Earl desires that there should be at once a system of advances to be made by the Treasury. That is contemplated. When a county council thinks that an inconvenience to them is likely to result from being called upon to advance money, they have power to apply to the Treasury for an advance. So far the time has been short, and no county council has made any such application, but in the course of the year I think it is exceedingly likely that the Treasury will receive applications. But there can be no doubt at all that, looked at from the taxpayers' point of view, it is convenient that at the start the arrangements should be made by te county councils. They are on the spot, and are conversant with the actual necessities of the case. They will be able to judge easily, rapidly, and correctly what money is necessary, and then they can send in their claims to the Treasury. There will be no delay, I am informed, in dealing with these claims. They will be comparatively simple, and I believe that in all probability it will be found that very seldom will a period longer than three or four months at the most elapse between the time when the claim is received and when it is actually paid by the Treasury.

The noble Earl appears before your Lordships to-night as the vindicator of the Constitution, which is in danger through the wiles of a wicked Liberal Government, and he has called your Lordships' especial attention to the words in the regulation that this is—

> "To take effect notwithstanding any statutory provision to the contrary."

Those words are really not of the immense importance which the noble Lord thinks. These Regulations are made under an Act of Parliament and they have the force of law, although no doubt the Local Government Act, 1888, expressly forbids any advance or payment out of local funds, except for certain definite purposes therein specified. The legal point on which I entirely rely is that, taking the clause upon which my noble friend and I have dwelt, there is full power to issue a Regulation of this kind calling for an advance from the local authority, notwithstanding the provisions of the Act of 1888, and the words which my noble friend has quoted are simply inserted "*ex abundanti cautela.*"

This is not a terrific inroad, modelled upon the conduct of King James II., to destroy the sacred principles of the British Constitution, as my noble friend seems to imagine. I really do not like to use the expression because of the high legal authority he quoted, but really, if it had not been for that high authority, I should be inclined to say that this great legal discovery partook of the nature of a mare's nest; but I have no doubt that, if your Lordships desire it, we shall have the advantage of hearing legal opinions to which the House will attach an importance which I know I cannot claim for my own.

Having dealt with the legal argument, the point I wish to put before the House is this, Is this a matter of such tremendous financial importance? There is to be an advance of the actually necessary sums for administrative purposes by these local authorities, and, as I have informed the House, there is to be a rapid system of repayment. These payments will be made out of the county fund. Those who are familiar with county council finance know that the different branches of expenditure are all out of the county fund which is one drawing account and which is broken up into different accounts at the end of the financial year for the purposes of audit. The whole of the expenditure is one drawing account. Even if the expenditure were considerable it is highly improbable that it would cause any over-draft on the county fund as a whole, especially as the repayments will come in exceedingly quickly. The whole thing is, in fact, a banking transaction. Therefore my noble friend, who thinks he has made a great discovery, has really made no discovery at all; the legal point is one which does not exist, and the financial one is so small that you require a microscope to detect it.

*LORD ROBERTSON: My Lords, like the noble Lord who has just sat down, I am not quite sure that there is a legal point in this discussion. It seems to me that, if there is, it far transcends accurate description by that phrase and rises in several aspects into the higher region of the Constitution. You have at stake, in this apparently technical matter, some of the most important and vital interests of the Constitution. You are proposing first, by these Regulations, to give to the Executive the right of deciding whether rates or taxes are in the first instance to bear a particular burden. You are doing more. These powers conferred by Parliament upon an executive body are familiar in the administration of the law, but they will always be found strictly confined to the region of administration. Till now it has never been suggested that Parliament proposed to devolve upon the Executive the right of arranging for the convenience of the Treasury, not merely what fund shall be drawn upon, but whether the rates of each particular locality shall be drawn upon, for what they have avowed at the beginning is a purely Imperial purpose.

I own that I envy the graceful jocularity of the noble Lord who has just sat down, because I cannot help thinking that if this subject is explained to the constituencies some very ugly and awkward questions will arise. I do not refer to this particular subject of old-age pensions which has been so much vaunted as showing the vast interest that is taken in the poor. I refer to this, that if you allow these Regulations to stand you will authorise the doctrine that Parliament may devolve upon the Executive, because it is too lazy or has not the time to consider the question, some of the most important questions that can affect legislation. Why are those words—

"Any statute to the contrary notwithstanding"

put in? I would ask the noble and learned Lord on the Woolsack, if he takes part in the debate, to say what are those statutory enactments? The truth of the matter was admirably expressed by Lord Fitzmaurice when he explained that county councils and borough councils were purely statutory bodies, and had their hands tied by the Legislature. The statute which constitutes those bodies not merely directs them to apply their rates to certain specified purposes, but it forbids them to apply them to any other. But I ask further, where, affirmatively, are powers given to levy rates for this object? The Treasury comes gaily along and says: "Oh, never mind that; we call upon you to find so much money, and we tell you to levy rates for the purpose." That is so, because the purse must be filled; and unless it can be shown that the Treasury is possessed of the power of legalising expenditure and rating by county councils for anything it pleases, then I think this must stand condemned.

I cannot say that I ever saw administrative rules or regulations which bore on their face that they were gainsaying the Acts of the Legislature. The matter is not confined to that, because in criticising regulations of this kind you require to find chapter and verse for the Act of devolution by the Legislature on the executive. The only words the noble Lord has appealed to are as to the provision to be made for the immediate payment of any expenses of the pensions committee, which are ultimately to be paid by the Treasury. I ask anyone who reads that provision whether he can seriously say that it was contemplated that the Treasury should look round, and as the noble Lord the Chancellor of the Duchy has expressed it, select a suitable victim and call upon the county councils to make the advance. The easy confidence of the noble Lord in his own case was evidenced by his taking my noble friend Lord Camperdown into consultation on the subject by saying: "What would you suggest? What other body would you suggest?" I venture to think that if in either House of Parliament the proposal had been mooted as we now have it in black and white in these Rules, there would have been a great damping of enthusiasm in various quarters which have been more or less enthusiastic for this measure.

Lord Robertson.

I protest altogether against discussing, as Lord Fitzmaurice did, questions of expediency. "What do you think could be better?" asks my noble friend. "Is it not very convenient?" All that is not for this stage of the proceedings at all. It ought to have been thought out at the outset where the money was to be got at first, and where it was ultimately to come from. This plan reverses the normal operation of legislation. It says that in the long run the Treasury will pay. I suppose the Treasury will look round for a victim—some roost—and requisition the money. I protest on these grounds against this being allowed to pass muster. I will not detain your Lordships longer at this late hour, but my brief observations must not be taken as adequate expression of my sense of the gravity of this occasion. I cannot help thinking, if this were held to be a precedent—and it must be once it has been done—that a Government with a large majority would say: "It does not very much matter what we put in the Bill; we will get our obedient Departments to work it out and choose the purse." I hope the House will rise to the occasion and will peremptorily correct so manifest a deviation from sound Constitutional practice.

THE LORD CHANCELLOR (Lord LOREBURN): My Lords, whether your Lordships approved—some of you, no doubt, did approve—or did not approve in spirit of the old-age pension scheme, I believe the general feeling of the House will be to give that scheme a fair chance, and not unnecessarily upon capricious grounds—I am not suggesting that the noble Earl was capricious—or upon inadequate grounds to try and disturb the machinery by which it is to be carried into effect. That is the first observation I offer to your Lordships. The second is that you should appreciate the real magnitude of the point now under discussion. The noble and learned Lord who has just spoken treated it as one of supreme importance, as if we were rising to the high summits of constitutional law.

The practical point is that provision has to be made by the Treasury for the immediate payment of the expenses of the committees, which are ultimately to be paid by the Treasury. The only question is, Who is to make the temporary advance? That is the only point. I cannot see myself that it involves any deep drafts upon the rates. It simply is a question what provision is to be made for a temporary advance which is to be repaid by the Treasury, and the Treasury has power to make an advance at once to the bodies which are to find the money. That is the whole magnitude of the point. As to the legal question, I confess to feeling some embarassment, because the noble and learned Earl, the late Lord Chancellor, for whose opinion I have the most unfeigned respect, has sent a message to your Lordships that this is all illegal and unconstitutional. Although I have always received the greatest courtesy at the hands of your Lordships, I do not profess to expect that my opinion will be taken as being equal to that of my predecessor, with his record of long service. I detest the idea of differing from a brother Judge in Parliament upon a question of law if it can possibly be avoided. I will, however, tell your Lordships frankly that when I was asked my opinion on this subject I thought that what was done was within the Act. But I will not say that had I a consultation with Lord Halsbury it is not possible that I should alter my mind, nor will I say that if the noble and learned Earl had a consultation with me it is not possible that he would alter his. My view is that these legal questions ought to be settled by courts of law. Here is the opportunity. If a county council thinks itself aggrieved and that the Treasury were wrongly advised, let it go to a court of law and have the point decided there. That seems to me to be the better and more convenient course from a legal point of view.

I am not, of course, referring to the constitutional question or the question of policy. As to that question, it seems to me that the matter is a very small one—the advancing for a short time of something that has to be repaid. It would be a serious matter if it were laid down that, whenever power is given by Act of Parliament to make rules, those rules are unconstitutional if they come into conflict with any section of a preceding Act of Parliament. We have a perfect labyrinth of statutes on every sort of subject, and if, on making a new departure like this and giving an authority an unbounded discretion, any rule which conflicted with some preceding Act of Parliament were declared unconstitutional, Parliament would be very likely to thwart its own purpose. It is under an Act of Parliament that these rules and regulations are made. If Parliament does not think proper to give power to make the Regulations, it can withhold it; and if it wishes to limit that power, it can limit it. I say, with the greatest respect, that I should like to see the question of the legality of this proceeding tried by a court of law. The courts of law are open. If it is wrong, it can be stopped by law. My own opinion is otherwise; but I do think the courts of law are the proper tribunal.

*THE MARQUESS OF LANSDOWNE: My Lords, I wish to make one observation, and I do so as emphatically as I can. I wish to assure the noble and learned Lord on the Woolsack that, although many of us regarded the passing of the Old-Age Pensions Act with grave misgivings—misgivings which have not been entirely removed—nothing is further from our thoughts than to obstruct the application of that Act, or to increase the difficulties, and they will be very formidable difficulties, of those who will be called upon to administer it. We desire, as the noble and learned Lord does, that the Act should have a fair trial. But when your Lordships' House insisted that the Regulations made under the Act should be laid on the Table of the Houses of Parliament, we took what was no mere idle or formal precaution; and I conceive it is the duty of this House to examine those Regulations and to consider very carefully indeed whether they should be allowed to remain unchallenged.

We have been told on the part of His Majesty's Government that, so far as what I think has been called the practical grievance or the financial grievance occasioned by these Regulations is concerned, that grievance is not a very substantial one. I admit that there is some force in that argument. I do not believe that any one stands to be very heavily mulcted by the operation of these Regulations. But when I am told that the matter is such a very small one I am reminded of an episode in one of Marryat's novels which was a great joy to us in our boyhood. The passage was connected with the somewhat irregular arrival of a little infant, and the mother pleaded, in extenuation, that it was a very little one.

Now I fully understand what is desired by His Majesty's Government under these Regulations. These pension committees are to be called into existence, and it is quite evident that they must be put in funds by one means or another. That is a very obvious view, and the Act, as we have been told this evening, clearly contemplates that means should be discovered of putting them in funds so far as their immediate necessities are concerned, and upon the understanding that the money is to be ultimately refunded by the Treasury. So far all is plain and easy. But then we come to the procedure adopted by His Majesty's Government in order to give effect to this purpose, and we are met by the challenge, "If you think our procedure bad, can you suggest a better one?" I rather object to that argument. I do not conceive that it is our business to explain to the public how these matters can be most conveniently arranged. But I shall have a word of suggestion even upon that point.

We take, however, two objections to the Regulations as they stand. In the first place, under those Regulations the Treasury, acting with the Local Government Board, takes it upon itself to issue orders to, and to interfere with, the county councils in a manner which appears to me to go very far beyond the spirit of the Local Government Act of 1888, from which these councils derive their powers. We have been told that the Old-Age Pensions Act is based upon the co-operation of the Treasury with the local authorities. I am not quite sure that the terms of the Act quite bear out that statement. I have looked through it and I find in it only one reference to the county councils. The county councils are required to call these pension committees into existence. Having done that, the county councils step into the background, and it is the aid of the Treasury and public funds that are invoked.

Then the second objection is that which has been taken upon constitutional grounds, and there I am bound say it does seem to me that the point, even though it be in itself a small one, does raise a Constitutional question of the very highest importance; a question, moreover, which, as has been truly said this evening, is every day more frequently and more urgently brought under our attention—I mean the question of the extent to which you can give a public Department the right of overriding the law as it is found in the Statute-book. I rather understood the noble and learned Lord on the Woolsack to suggest that the words to which we have called attention—I mean the words which declare that the funds are to be provided out of the county fund notwithstanding any statutory provision to the contrary—were put in as a somewhat formal and not very important precaution. I regard them rather more seriously, and I venture humbly to suggest to your Lordships that those words were surplusage unless it was intended by means of them to give this Department the power of going beyond the scope of the Acts of Parliament which regulated their proceedings.

We on this side of the House remain of opinion that those words do involve a grave irregularity which it is the duty of the House to take notice of. We feel, moreover, that we are by no means paralysing the operation of the Act when we desire that these pension committees should be financed from some source other than the county fund; because the Regulation itself in the two paragraphs which immediately follow, provides a means of financing them without the intervention of the county fund. A very trifling alteration would enable these pension committees to be supplied with the funds necessary for the performance of their duties, and there should be no difficulty in arranging that those funds should be provided without any straining of the law. For these reasons, if my noble friend goes to a division I shall certainly support him.

LORD BELPER: My Lords, I do not mean at this late hour to follow any of the very interesting arguments we have heard with regard to the legal or constitutional question; but I do not think it would be right that I should remain altogether silent inasmuch as this matter has been discussed at considerable length by both the Parliamentary Committee and the executive council of the County Councils Association. The executive council only yesterday passed a resolution which declared that the regulations appear to exceed the powers given to the Treasury by the Act, to cast on the finances of county councils expenses which the Act did not cast on them, and to impose duties on their servants which the Act in no way authorised, and recommended that the executive council should support any action that might be taken to bring the matter before Parliament. This resolution was not brought forward in any spirit of hostility to the Old-Age Pensions Act. Indeed, it was mentioned in the discussion that the association had no wish to throw any difficulty in the way of the administration of the Act. So strongly did the executive council feel about this matter that they purposely left out any allusion to other parts of the regulations on which some criticisms had been made, and passed unanimously the Resolution to which I have referred. There is, under these Regulations, to be thrown on the county councils what they believe to be an illegal charge, and it is for that reason that the county councils are of opinion that the Regulations ought to be protested against by all the means in their power. It has been said that this is a small point. It may be a small point if we are to take all the assurances that have been given by the noble Lord the Chancellor of the Duchy. But let me point out that these Regulations not only throw this charge upon county councils, but provide—and I think this is adding insult to injury—that the money shall be repaid to the councils at such times and in such manner as the Treasury think fit. Moreover, no interest is to be paid for the money so advanced.

LORD FITZMAURICE: I was able to give an assurance that these advances would be repaid within a short while. It would always be well within the financial year.

LORD BELPER: I fully accept the noble Lord's assurances. I have no doubt the noble Lord will do all he can to get his assurances carried out, but they have not the effect which these Regulations will have after they are approved by Parliament. I cannot myself see what power the county councils have to raise a rate for this purpose. So far from their being mentioned in the Bill in harmonious conjunction with the Treasury, there is only one clause which refers in any way whatever to them, and that is the clause under which they have to appoint the pensions committees, after which their powers absolutely cease. I can assure the House that the county councils feel very strongly about the matter.

On Question,

Their Lordships divided:—Contents, 48; Not-contents, 28.

CONTENTS.

Norfolk, D. (*E. Marshal.*)
Northumberland, D.

Ailesbury, M.
Bath, M.
Lansdowne, M.
Salisbury, M.

Camperdown, E.
Cathcart, E.
Cawdor, E.
Cromer, E.
Dartrey, E.
Denbigh, E.
Fortescue, E.
Harrowby, E.
Lauderdale, E.
Londesborough, E.
Morley, E.
Northbrook, E.
Onslow, E.
Pembroke and Montgomery, E.

Churchill, V. [*Teller.*]
Falkland, V.
Goschen, V.
Hood, V.
Hutchinson, V. (*E. Donoughmore*).

Ardilaun, L.
Ashbourne, L.
Belhaven and Stenton, L.
Belper, L.
Clifford of Chudleigh, L.
Clinton, L.
Clonbrock, L.
Dunboyne, L.
Ellenborough, L.
Faber, L.
Hindlip, L.
Kilmarnock, L. (*E. Erroll.*)
Kintore, L. (*E. Kintore.*)
Lawrence, L. [*Teller.*]
Leigh, L.
Macnaughten, L.
Monk Bretton, L.
Robertson, L.
Sanderson, L.
Stalbridge, L.
Stanmore, L.
Stewart of Garlies, L. (*E. Galloway.*)
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Loreburn, L. (*L. Chancellor.*)

Wolverhampton, V. (*L. President.*)

Crewe, E. (*L. Privy Seal.*)

Beauchamp, E. (*L. Steward.*)
Carrington, E.
Chichester, E.
Craven, E.
Russell, E.

Althorp, V. (*L. Chamberlain.*)

Allendale, L.
Armistead, L.
Blyth, L.
Burghclere, L.
Colebrooke, L. [*Teller.*]
Courtney of Penwith, L.
Denman, L. [*Teller.*]
Eversley, L.
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Lucas, L.
Marchamley, L.
O'Hagen, L.
Sandhurst, L.
Saye and Sele, L.
Shuttleworth, L.
Welby, L.

The said Address to be presented to His Majesty by the Lords with White Staves.

House adjourned at a Quarter before Eight o'clock, to Monday next, a Quarter past Four o'clock.

HOUSE OF COMMONS.

Thursday, 29th October, 1908.

The House met at a quarter before Three of the Clock.

PRIVATE BILL BUSINESS.

North British Railway Order Confirmation Bill—"To confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act, 1899, relating to the North British Railway," presented by Mr. Sinclair; read the first time; and ordered (under Section 9 of the Act) to be read a second time upon Friday 6th November, and to be printed. [Bill 364.]

PRIVATE BILLS (GROUP M.).

Mr. LUKE WHITE reported from the Committee on Group M. of Private Bills; That the parties promoting the London and District Electricity Supply Bill had stated that the evidence of Mr. John Hall Rider, Electrical Engineer to the London County Council, of the County Hall, Spring Gardens, was essential to their case; and, it having been proved that Mr. Rider's attendance could not be procured without the intervention of the House, he had been instructed to move that the said Mr. John Hall Rider do attend the said Committee To-morrow, at Eleven of the Clock.

Ordered, that Mr. John Hall Rider do attend the Committee on Group M. of Private Bills To-morrow, at Eleven of the Clock.

PETITIONS.

LICENSING BILL.

Petition from Chatham, against; to lie upon the Table.

Petitions in favour: From Brighton; Edinburgh (two); Gerlan; London and Market Drayton; South Cave; and Taunton; to lie upon the Table.

OLD-AGE PENSIONS ACT, 1908.

Petition from Carlisle, for alteration of Law; to lie upon the Table.

SALE OF INTOXICATING LIQUORS ON SUNDAY BILL.

Petition from Brixton and other places, in favour; to lie upon the Table.

RETURNS, REPORTS, ETC.

COLONIAL REPORTS (ANNUAL).

Copy presented, of Report, No. 581 (Mauritius, Annual Report for 1907) [by Command]; to lie upon the Table.

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Hobhouse Report—Deferment of Stripes.

MR. J. MACVEAGH (Down, S.): To ask the Postmaster-General whether immediate effect will be given to Paragraph 357 of the Hobhouse Report concerning the deferment of stripes.

(*Answered by Mr. Sydney Buxton.*) The revision of the Regulations regarding good conduct stripes has required very careful consideration, and I have been in communication with the Postmen's Federation on the subject. I am now on the point of issuing the revised rules, which will follow the lines indicated in the Report of the Select Committee.

Public-House Licences in Ireland.

MR. FETHERSTONHAUGH (Fermanagh, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland what is the present number of public-house licences in Ireland, and how many of them are attached to premises of under £10 valuation and are thereby entitled to pay a licence duty of £4 10s. for a full licence and £3 17s. 1d. for a six-day licence; whether he is aware that in the country districts and smaller towns the valuation is often less than £1; and, except in Belfast, under recent revaluation, has the value of the licence and trade goodwill ever been taken into account in arriving at the letting value.

(*Answered by Mr. Hobhouse.*) The number of public-house licences issued in Ireland in the year ended 31st March last, was 17,393, of which 7,190 were attached to premises of under £10 valuation. Of these, 6,149 were in respect of full licences at £4 10s., 900 in respect of six-day or early closing licences at £3 17s. 1d., and the remaining 141 in respect of six-day and early closing. The Answer to the last part of the Question is in the negative.

Clerks to Justices and Professional Work.

MR. LEVY LEVER (Essex, Harwich): To ask the Secretary of State for the Home Department whether he is aware that it sometimes happens that the clerk to a bench of county justices is concerned professionally in cases in which the said bench is called upon to adjudicate; and whether, having regard to the possibility of a miscarriage of justice in such circumstances, he will introduce legislation to put an end to such a system.

(*Answered by Mr. Secretary Gladstone.*) I am not aware of any such cases having occurred as would make legislation on the subject desirable. It is, I believe, generally recognised that where justices have to adjudicate between two parties, their clerk is under a stringent obligation not to act professionally for either side; but, if the hon. Member will let me know of any instances to the contrary that may have come to his knowledge, I will have inquiry made.

Crime in Ireland.

MR. LONSDALE (Armagh, Mid): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will compare the number of crimes throughout Ireland classified as agrarian and non-agrarian, respectively, under each of the headings firing at the person and firing into dwellings, for the years 1878 to 1907, inclusive, and the period of nine months ended 30th September, 1908.

(*Answered by Mr. Birrell.*) The required figures are as follows—

Period.	Firing at the Person.		Firing into Dwellings.	
	Agrarian.	Not agrarian.	Agrarian.	Not agrarian.
Year 1878 - - -	3	12	7	8
,, 1879 - - -	8	33	13	9
,, 1880 - - -	24	46	64	31
,, 1881 - - -	66	38	144	24
,, 1882 - - -	58	47	117	34
,, 1883 - - -	9	19	19	9
,, 1884 - - -	7	15	18	4
,, 1885 - - -	12	23	33	14
,, 1886 - - -	16	47	43	29
,, 1887 - - -	19	39	35	27
,, 1888 - - -	14	25	30	34
,, 1889 - - -	11	16	29	19
,, 1890 - - -	15	15	30	25
,, 1891 - - -	8	13	16	17
,, 1892 - - -	7	15	6	15
,, 1893 - - -	7	23	13	18
,, 1894 - - -	3	14	7	13
,, 1895 - - -	4	20	15	11
,, 1896 - - -	6	10	5	7
,, 1897 - - -	3	10	7	5
,, 1898 - - -	3	11	5	8
,, 1899 - - -	3	17	7	8
,, 1900 - - -	3	9	10	2
,, 1901 - - -	1	11	3	5
,, 1902 - - -	2	17	4	4
,, 1903 - - -	1	17	6	5
,, 1904 - - -	1	9	12	11
,, 1905 - - -	2	9	9	9
,, 1906 - - -	3	16	9	11
,, 1907 - - -	9	18	40	20
1st January to 30th September, 1908 - -	10	22	55	19

Revenue from On-Licence Duties.

MR. BARNARD (Kidderminster): To ask the Secretary of State for the Home Department the amount at present received in licence duty from the existing on-licences; how much it is estimated these same on-licences would pay as licence duty under Schedule A. when the valuation under Schedule A. is conducted upon the revised basis expected to arise under the Licensing Bill.

(*Answered by Mr. Hobhouse.*) My right hon. friend has asked me to reply to this Question. The net receipt of duty from existing on-licences in the United Kingdom in the year ended 31st March, last was £1,834,892; exclusive of Scotland and Ireland the figure is £1,555,237. It is impossible to make any accurate forecast such as is asked for in the second part of the Question.

Position of Clerk to Yeovil Education Committee.

MR. SNOWDEN (Blackburn): To ask the President of the Board of Education if he is aware that the clerk to the Yeovil Education Committee is also town clerk, clerk to the borough magistrates, joint clerk to the county magistrates, registrar of the county court, clerk to the joint burial board, clerk to the Free School Charity, and a solicitor in private practice; that he never attends the meetings of the Education Committee; and whether such an appointment is sanctioned by the Board of Education.

(*Answered by Mr. Runciman.*) No, Sir. The appointment of clerk to an education committee does not require the sanction of the Board.

Valuation of Belfast Licensed Premises.

MR. FETHERSTONHAUGH: To ask Mr. Chancellor of the Exchequer whether he is aware that in Ireland, except the City of Belfast under a recent revaluation, the value of the licence has never been taken into account in the valuation of licensed premises; that a number of public-houses are therefore inadequately valued and pay licence duty on a very low scale, particularly in country places, and will he consider the advisability of materially increasing the licence duty, especially on premises valued under £10, as a means of reducing the number of low class public-houses; and is he aware that a large proportion of Irish licensed houses are valued under £10 and so only pay £4 10s. per annum for a full seven-days on-licence, or £3 17s. 1d. for a six-days on-licence.

(*Answered by Mr. Lloyd-George.*) The matter to which the hon. Member draws my attention will not fail to receive my careful consideration at the proper time.

Subsidy to Inter-Parliamentary Union.

MR. BELLAIRS (Lynn Regis): To ask Mr. Chancellor of the Exchequer if he will state on what grounds a subsidy of £300 a year is to be given to a political body called the Inter-Parliamentary Union; when will the first payment be made; and whether he can state if any similar subsidies are contemplated for other political organisations.

(*Answered by Mr. Lloyd-George.*) Two years ago the House voted a sum of £5,000 for expenses in connection with the meeting of the Inter-Parliamentary Union in London. The union is an entirely non-party organisation, including hon. Members who sit upon both sides of this House. The Government have undertaken on the same grounds to propose to Parliament an annual grant of £300 in aid of the expenses of the permanent organisation of the union when it has been satisfactorily established. I have not yet received particulars of the arrangements proposed, and am therefore unable to say when a payment is likely to be required. I am not aware of any other organisation having the same claims.

Savings Bank Depositors and Colonial Securities.

MR. BECK (Cambridgeshire, Wisbech): To ask Mr. Chancellor of the Exchequer whether, bearing in mind the need of further encouraging thrift during periods of national prosperity, he will consider the advisability of arranging for facilities being given for the purchase of small quantities of approved Colonial securities, thus giving to the working class investor an opportunity of obtaining a reasonably remunerative rate of interest upon his capital.

(*Answered by Mr. Lloyd-George.*) I do not think it would be advisable for the Government to take such action in regard to securities for which the Government is not responsible.

Bonus under Clause 48, Irish Land Act.

MR. LONSDALE: To ask Mr. Chancellor of the Exchequer whether any decision has been arrived at with reference to the future percentage of bonus payable under Clause 48 of the Irish Land Act, 1903.

(*Answered by Mr. Lloyd-George.*) The matter is under consideration.

Old-Age Pensions—Poor Rates Remitted.

MR. SNOWDEN: To ask Mr. Chancellor of the Exchequer if a man who, on account of poverty, has had his poor rate remitted is thereby disqualified for an old-age pension.

(*Answered by Mr. John Burns.*) Perhaps I may answer this Question. The excusal of the payment of rates on the ground of poverty, would not, I think, disqualify the person excused for receiving an old-age pension.

Soldiers' Widows and Pension.

Mr. H. H. MARKS (Kent, Thanet): To ask the Secretary of State for War whether the widow of a private soldier, who had not applied during his lifetime for a pension to which he was entitled, is permitted to claim and receive such pension after her husband's death as from the date at which he became entitled to it.

(*Answered by Mr. Secretary Haldane.*) The reply is in the negative; but if the hon. Member has any particular case in view I shall be glad to consider it as a special case.

Army Pensions and Good Conduct Pay.

Mr. H. H. MARKS: To ask the Secretary of State for War whether private soldiers enlisted on or before 1st September, 1864, and discharged by reduction of establishment or invalided, having, by uninterrupted possession of good conduct pay with one or more good conduct badges for six months immediately preceding discharge, become entitled to full rate of good conduct pay added to pension, whether temporary or permanent, to which they were otherwise entitled on attaining fifty years of age, are paid the pension in full from the date of their attaining fifty years of age, notwithstanding any delay that may have occurred in the making of official application for it.

(*Answered by Mr. Secretary Haldane.*) The hon. Member is alluding to awards of deferred pension on reaching the age of fifty years after fulfilling the conditions stated in the Question. A soldier is directed in his small book to apply to the Commissioners of Chelsea Hospital when he becomes eligible for the award. If he neglects to make this application at the proper time he is only eligible to recover arrears thereof up to a maximum of three years.

Yeomanry Arms.

Mr. COURTHOPE (Sussex, Rye): To ask the Secretary of State for War whether the bayonets with which the Yeomanry have been armed have been called in; and whether, under these circumstances, the Yeomanry will be re-armed with sabres.

(*Answered by Mr. Secretary Haldane.*) The bayonets with which the Yeomanry are armed will shortly be called in. The question whether the Yeomanry will be re-armed with sabres is under consideration.

Reservists in the Colonies.

Mr. LONSDALE: To ask the Secretary of State for War what are the conditions under which men belonging to the Army Reserve have been authorised to reside in the Colonies; and what arrangements have been made for recalling them to the colours in case of sudden emergency.

(*Answered by Mr. Secretary Haldane.*) As regards the first part of the Question, the conditions are contained in Paragraphs 57 to 62 of the Army Reserve Regulations. As regards the second part of the Question, the arrangements are set forth in Paragraphs 146 to 148 of the Mobilisation Regulations.

Overtime in War Office Employment.

Mr. W. THORNE (West Ham, S.): To ask the Secretary of State for War can he state the number of men that would be required under his control if the hours of those men who were working more than eight per day were reduced to eight per day.

(*Answered by Mr. Secretary Haldane.*) My hon. friend is presumably referring to the various factories and departments under the control of the War Office. No overtime is worked in them, except in cases of emergency, as when stores have to be hastened and completed for issue at an earlier date than that originally anticipated, and in the case of men whose work necessitates their attendance before and after the usual hours, such as engine-drivers and stokers, warders, timekeepers, etc. In all these cases it would be quite impracticable to put on extra hands.

Small Holdings in West Suffolk.

Mr. HEATON-ARMSTRONG (Suffolk, Sudbury): To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, if he is aware that in the county of West Suffolk six months ago 240 applications were sent in for 3,000 acres of land, but up to the present time nothing has been done by the county council to meet these demands; and, if so, what steps he proposes to take to compel this county council to carry out its obligations under the Small Holdings and Allotments Act, 1907.

(*Answered by Sir Edward Strachey.*) The Board are aware that no land has as yet been actually acquired for small holdings in West Suffolk, but the county council have not been idle. Every applicant has been interviewed by sub-committees, valuers have been employed to advise on suitable land, the county council are now negotiating for the acquisition of several properties in different parts of the county, and we hope to receive several schemes from them in the near future.

Small Holdings in Gloucestershire.

Mr. JESSE COLLINGS (Birmingham, Bordesley): To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, if he will state how many of the applications for small holdings which have been approved by the County Council of Gloucestershire were from *bona fide* agricultural labourers; and to how many such applicants have small holdings been granted.

(*Answered by Sir Edward Strachey.*) Eighty-two, nine of whom have been supplied with small holdings. There are, I may add, other approved applicants who are engaged as agricultural labourers at certain periods of the year.

Butchers Meat Guarantees.

Mr. HUNT (Shropshire, Ludlow): To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture whether, in view of the fact that the butchers have demanded a warranty after the 2nd of next month from British farmers as to the freedom from tubercular disease of all cattle sold by them, he will consider the advisability of introducing legislation to require butchers after the same date to give a guarantee that all beef sold by them as British shall be home-grown and home-fed.

(*Answered by Sir Edward Strachey.*) The President of the Board of Agriculture does not propose to introduce legislation in the direction suggested.

Small Holdings Act.

Mr. ESSEX (Gloucestershire, Cirencester): To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether any county councils have omitted to appoint a small holdings and allotments committee under the provisions of the Small Holdings and Allotments Act, 1908; and, if so, which council or councils are so in default.

(*Answered by Sir Edward Strachey.*) No, Sir.

Russian Agents in Persia.

Mr. DILLON (Mayo, E.): To ask the Secretary of State for Foreign Affairs whether his attention has been directed to the fact that the Russian agents in Persia have actively interfered in the struggle between the Shah of Persia and the national party in that country, and have materially contributed to the destruction of the Persian Parliament and constitution; and whether His Majesty's Government have addressed any representations to the Russian Government on this matter.

(*Answered by Secretary Sir Edward Grey.*) I am not aware that Russian agents have actively interfered in the struggle in Persia, though the representatives of both the British and Russian Governments have from time to time given advice to the Shah. The Russian officers who took part in the fighting at Teheran in the summer were in the service of the Shah, and were not acting as agents of the Russian Government. The exigencies of the situation have occasionally forced both British and Russian Consuls or Vice-Consuls, as at Tabriz recently, to enter into communications with one political party or the other; but the policy of both Governments has been to limit this as much as possible. It must be remembered that the prolonged disturbance in a province on the Russian frontier has caused great loss to Russian trade; at one time there was also some danger to Russian lives and property; and the British Vice-Consul informs me that the Customs, in which Russia has a special interest, have not been collected for five months. The only step, however, hitherto taken by the Russian Government has been to place 400 men on their own frontier, as a precautionary measure. None of these men have so far been allowed to cross into Persian territory; and I see no occasion to make any representations, for I do not suppose that any British Government would have acted differently under the circumstances.

Irish Evicted Tenants—Case of Edward McDermott.

MR. C. MACVEIGH (Donegal, E.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners have received an application from Edward McDermott to be reinstated in a holding in lieu of his farm on Lady Hegate's estate, County Donegal, from which he was evicted; whether he is aware that his name was placed on the list of persons entitled to a farm; and if he can state the cause of the delay.

(*Answered by Mr. Birrell.*) The Estates Commissioners have received an application for reinstatement from Edward McDermott, and it has been noted for consideration in the allotment of untenanted land for the purchase of which the Commissioners are in negotiation.

Indian Railways.

SIR SEYMOUR KING (Hull, Central): To ask the Under-Secretary of State for India whether he is aware that in the case of railways in India worked by companies there has been an increase in the pay and emoluments of the revenue branch of the service consequent on their growth and expanded traffic, especially in the case of the heads of the traffic, engineering, and locomotive departments, whereas on the State railways, even in a system so extensive as the North-Western Railway, the rates of pay of the chief traffic and locomotive officers remain on the same scale as when the railways were first started, although the pay of all railways in the engineering department has lately been improved; whether he is aware that dissatisfaction exists, and the Government of India has been approached on the subject by the officers affected; and whether he has received any representations upon the subject from that Government or from the railway board.

(*Answered by Mr. Buchanan.*) The answer to these Questions is in the affirmative. Proposals on the subject are at present under my consideration.

St. Lucia.

MR. MICKLEM (Hertfordshire, Watford): To ask the Under-Secretary of State for the Colonies whether the Colony of St. Lucia is the only West Indian Colony in which the subjects of the Crown have no legal remedy in respect of claims against the Government; whether instructions have been given by the Colonial Office to the Acting Governor of St. Lucia not to proceed with a Bill intended to extend to that Colony the provisions of the Petitions of Right Act, 1860; and whether the Government will consider the advisability of withdrawing such instructions and of promoting a Bill to give the same rights to British subjects in St. Lucia as are enjoyed in the other West Indian Colonies.

(*Answered by Colonel Seely.*) The Secretary of State has already formed the opinion that a Crown Suits Ordinance should be proceeded with in St. Lucia, giving the inhabitants of that Colony in future a right of suing the Crown analogous to that possesed under the common law by subjects in this country and regulated by the Petitions of Right Act, 1860; and he is now in correspondence on the subject with the Governor of the Windward Islands who is, at present, on leave in this country.

Post Office Contracts.

MR. REES (Montgomery Boroughs): To ask the Postmaster-General if he will state what was the measure in money of the contracts placed in 1907 for waterproofs, boots, bicycles, and tools for the use of his Department, and how much of that sum was placed with firms having their premises in Wales.

(*Answered by Mr. Sydney Buxton.*) The figures are as follows: Waterproofs, £13,950; boots, £14,595; cycles and parts, £27,656; tools, £3,985. No tenders were received from, and consequently no orders were placed with, firms in Wales. As I told the hon. Member on 27th July, I should be very glad to receive tenders from Wales. Apart from the contracts about £11,600 was spent locally for repair and hire of cycles, and rather more than £600 of this went to Wales.

Reply Coupons for Foreign Letters.

MR. HENNIKER HEATON (Canterbury): To ask the Postmaster-General whether it was agreed at the Postal Union Conference at Rome to supply reply coupons available for correspondents who wish to get replies to their letters from any place abroad; whether the cost of these coupons is fixed at 3d. each; whether, as the postal rate to the United States of America has been reduced from 2½d. to 1d., the price of a reply coupon to that country remains unaltered at 3d.; whether he will institute a system of exchange penny postal stamps with every part of the British Empire and the United States of America, so that a correspondent who wants a reply to his letter may be able to send a British stamp that can be exchanged at any Post Office in the Empire or the United States of America for a stamp similar of value, the accounts to be adjusted half-yearly, or more often, if necessary, by the Governments.

(*Answered by Mr. Sydney Buxton.*) Under the system adopted at the Postal Union Congress at Rome, a reply coupon can be bought at any Post Office in this country for 3d. and exchanged for stamps to the value of 2½d. in almost any country, thus affording a convenient means of prepaying the reply to a letter or transmitting a very small sum of money. Contrary to expectation the demand for these coupons has so far been very small; and unless the demand increases, as the system becomes better known, I do not consider that there is sufficient reason for creating a coupon of lower value, for which there is less necessity, and for which, therefore, there would probably be even less demand.

Post Office Retirement Regulations.

MR. KELLEY (Manchester, S.W.): To ask the Postmaster-General whether he is aware that instructions were issued to surveyors by a previous Postmaster-General stating that retirement at sixty years of age should be enforced upon all Post Office officials in order to assist promotion and secure efficiency; whether he is aware that a superintending official of telegraphs at Manchester has been permitted to remain after this age; and whether he will state what reasons exist for this special treatment.

(*Answered by Mr. Sydney Buxton.*) The circular to surveyors, to which the hon. Member refers, did not make retirement at sixty years of age compulsory. Under the Orders in Council retirement is not compulsory until the age of sixty-five is reached. As I informed the hon. Member in answer to a Question on 15th May last, the rule is that all pensionable officers of whatever grade, whose conduct, capacity, or efficiency falls below a fair standard, are called upon to retire at sixty years of age; but retirement at sixty is not necessarily enforced in the case of officers whose conduct is good, and who are certified by their superior officers to be thoroughly efficient. There has been no exceptional treatment in the case of the supervising officer at Manchester to whom reference is made.

Bushey Park.

MR. SUMMERBELL (Sunderland): To ask the First Commissioner of Works whether he is aware that, when a labourer at Bushey Park is performing acting gatekeeper's duties, twenty-five hours per week are added to the time he is employed in his usual occupation; and, if so, whether he can see his way to allow a labourer whilst performing these duties a reasonable amount of extra remuneration.

(*Answered by Mr. Harcourt.*) At present a labourer performing acting gatekeeper's duties receives 4s. 8d. per week extra remuneration for twenty-five hours additional on-duty. I am prepared to recommend that in future a labourer shall receive 7s. per week extra remuneration for this duty.

Haslar Naval Hospital.

MR. HENNIKER HEATON: To ask the First Lord of the Admiralty whether, under the will of the late Mrs. Waldo-Sibthorpe, a sum of £6,000 was bequeathed upon trust for the Naval Hospital at Haslar, in memory of her husband, Commander George H. R. Erroll; and whether the Lords Commissioners of the Admiralty have come to any decision as to the best manner in which this legacy will be expended on the Haslar Hospital.

(*Answered by Mr. McKenna.*) The Answer to the first part of the Question is in the affirmative. The matter referred to in the second part is still under the consideration of the Board of Admiralty.

Sasine Office, Edinburgh.

MR. YOUNGER (Ayr Burghs): To ask the Secretary for Scotland whether he is aware that the engrossing clerks in the Sasine Office, Edinburgh, engaged in the work of registering titles and other deeds relating to heritable property in Scotland, have during the process of registration valuable documents in their possession, and that their tenure of service is regarded as temporary; whether the claim of those clerks, embodied in a Memorial of July, 1905, to the then Secretary for Scotland, to be recognised as civil servants has been considered; and whether, in view of the character of their duties, it is intended to make any change in their *status*.

(*Answered by Mr. Sinclair.*) I am aware of the conditions under which the engrossing clerks in the Sasines Office perform their duties. The claims of the engrossers for admission to the established Civil Service have been considered, and I am unable to recommend that their *status* as fixed by existing Minutes should be altered.

Fraudulent Traders at Dundee.

MR. WILKIE (Dundee): To ask the Secretary of State for the Home Department whether he has received a communication from the editor of the *Scottish Prohibitionist,* drawing his attention to the constantly recurring cases in Dundee of merchants defrauding the public by the use of false and unjust weights and measures, and to the fact that the Press does not give publicty to the convictions obtained by the authorities against such merchants; and whether steps will be taken, for the protection of the public, to ensure that the reports of such convictions would be duly published.

(*Answered by Mr. Secretary Gladstone.*) The communication referred to in this Question has been sent to me by the Secretary of State. I have no control as to the action of the Press and do not see my way to interfere.

Motor Cab Calls.

LORD R. CECIL (Marylebone, E.): To ask the Secretary of State for the Home Department whether his attention has been called to the nuisance caused, particularly in quiet professional neighbourhoods, by such street noises as the whistling for motor cabs; and whether the Government propose to take any steps to remedy this grievance.

(*Answered by Mr. Secretary Gladstone.*) I am aware that the whistling for motor and other cabs is in some districts a considerable nuisance, but, on the other hand, the system is a convenience to the public. The police have no power to stop the whistling, but the Commissioner is considering whether any change can be suggested which will mitigate the annoyance.

Coasting Trade.

MR. MALLET (Plymouth): To ask the President of the Board of Trade if he will state which countries admit British vessels to their coasting trade proper and to the trade between themselves and their possessions respectively; which countries exclude British ships altogether from their coasting trade; and what is the tonnage of British vessels allowed to participate in the coasting trade of each of these countries as aforesaid.

(*Answered by Mr. Churchill.*) My hon. friend will find information on all these points in Memorandum No. XXV. in the published Papers laid before the Colonial Conference, 1907 [Cd. 3524]. For his convenience I have directed that copies shall be sent him.

Hop Imports.

Mr. LAURENCE HARDY (Kent, Ashford): To ask the President of the Board of Trade what have been the total imports of hops into this country in each month since October 1907; what have been the amounts in each month received from the chief importing countries, namely, Germany, the United States, Belgium, and Austria; and what amounts of imported hops have been re-exported to any foreign country during these months.

(*Answered by Mr. Churchill.*) The following statement gives the information desired by the hon. Member.

Statement showing the quantity of Hops imported into the United Kingdom during each month, from October, 1907, to September, 1908, inclusive, distinguishing the quantities consigned from Germany, the United States, Belgium, and Austria-Hungary, respectively; together with the quantity of imported hops re-exported to foreign countries and British Possessions during the same months.

Month.	Total quantities imported.	Imports consigned from.					Total quantity of imported hops re-exported.
		Germany.	United States.	Belgium.	Austria-Hungary.	Other Countries.	
	Cwts.	Cwts.	Cwts.	Cwts.	Cwts.	Cwts.	Cwts.
1907:							
October -	24,290	13,426	3,082	4,738	1,421	1,623	361
November -	29,065	16,041	9,961	1,699	615	749	2,213
December -	19,625	8,576	8,669	1,559	206	615	2,142
1908:							
January -	34,980	5,543	28,283	903	52	199	2,093
February -	24,978	6,528	17,460	483	—	507	2,879
March -	33,279	3,139	29,407	487	185	61	2,115
April - -	57,521	1,682	54,312	61	—	1,466	470
May - -	9,815	3,042	5,280	605	—	888	547
June - -	9,577	1,116	5,955	70	—	2,436	337
July - -	4,779	725	3,481	227	—	346	30
August -	4,018	638	2,930	127	—	323	221
September -	3,822	3,139	270	313	—	100	61
Total -	255,749	63,595	169,090	11,272	2,479	9,313	13,469

Crown Sporting Rights Leases.

Mr. HAROLD COX (Preston): To ask the Secretary to the Treasury whether any Crown leases of sporting rights include the right to erect butts upon common land, involving the destruction of turf and diminution of feed, and include the right to burn gorse and heather; and whether he will arrange that copies of all Crown leases of sporting rights in any county shall be deposited at the office of the county council for inspection by any person interested on payment of a reasonable fee.

(*Answered by Mr. Hobhouse.*) The right of sporting granted in Crown leases over Crown waste lands which are subject to common rights of grazing is concurrent with and without prejudice to those rights of grazing, and may be exercised in any way that does not appreciably interfere with them. Any person who has any claim to exercise such common rights over any Crown waste will, on application to the Commissioners of Woods, be informed as to how his rights are affected by any lease of sporting that has been granted; but the Commissioners do not see their way to adopt the suggestion that all such leases should be deposited for inspection at the offices of the county council.

Courtenay Almshouses, Tavistock.

Mr. LUTTRELL (Devonshire, Tavistock): To ask the hon. Member for the Barnstaple Division, as representing the Charity Commissioners, whether his attention has been drawn to the Report of the Royal Commissioners, 1907, on the Courtenay Almshouses in Tavistock; and whether the Earl of Devon is responsible for the continuance of this charity.

(*Answered by Mr. Soares.*) I am not aware of any Report having been made by Royal Commissioners in 1907 on this charity, but in the Report made to the Charity Commissioners comprised in a Return to an Order of the House of Commons and ordered to be printed 1st August, 1907, it is stated that Lord Courtenay's Almshouse appears to be a private almshouse, the property of the Earl of Devon, who chooses the inmates and maintains and controls the house. Of course, if there is any fresh evidence in the matter the Charity Commissioners would be willing to consider it.

Suitors' Fund.

Mr. B. S. STRAUS (Tower Hamlets, Mile End): To ask Mr. Chancellor of the Exchequer if he will give the amount of the Suitors Fund at the present moment, and state whether it is put to any public use.

(*Answered by Mr. Lloyd-George.*) The cash liability of the Paymaster-General to suitors in the Supreme Court of Judicature, England, amounted on 30th September, 1908, to £2,380,216 7s. 9d. To the extent of £1,932,134 15s. 6d. this liability is not represented by cash in the Paymaster's hands, but by a contingent claim upon the Consolidated Fund. This claim arises from the fact that in 1870 (under the Act 32 and 33 Vic., c. 91) Government securities in which funds in Court had been invested were cancelled. This operation effected a reduction in the amount of the National Debt, and a corresponding liability was imposed on the Consolidated Fund. The original liability was £2,764,744 1s. 10d., which has since been reduced to £1,932,134 15s. 6d. The remainder of the Paymaster's liability to suitors was represented on 30th September last by: (1) Cash to the amount of £377,992, lodged with the National Debt Commissioners and employed by them to earn income for the purpose of paying the interest due to suitors in respect of moneys placed on the deposit; and (2) by a working balance of £70,090.

Territorial Force—Officers for Training Units.

Mr. BERTRAM (Hertfordshire, Hitchin): To ask the Secretary of State for War what progress has been made with the scheme for junior and senior officers training units for the Territorial Force; and when a scheme will be approved for the Inns of Court battalion.

(*Answered by Mr. Secretary Haldane.*) Offers to furnish contingents have been accepted in respect of eight Universities and 103 schools, and contingents of varying strength have actually been formed at these places. Other offers are under consideration or in process of acceptance, and the organisation and training of the corps is being developed as rapidly as possible. As regards the Inns of Court, the scheme for the reconstitution of the battalion as a training unit is now being dealt with.

Unemployment.

Sir W. J. COLLINS (St. Pancras, W.): To ask the Prime Minister whether he would be prepared to consider the desirability of appointing a Committee, to consist partly of representatives of Government Departments and partly of outside experts, to suggest to the Central (Unemployed) Body and local distress committees schemes of work which, while not competing with existing industries, shall afford employment during the next few months to those whose names are placed on the registers of unemployed seeking work.

(*Answered by Mr. Asquith.*) I cannot help thinking that the Central (Unemployed) Body and distress committees, co-operating as they are with the local authorities and acting in consultation with their expert officers, are better able to find practicable schemes of work than would such a committee as my hon. friend suggests. I have no doubt that they would willingly consider any practical proposal that was put before them from any quarter.

QUESTIONS IN THE HOUSE.

Wrecks on the Devon Coast.

Mr. FELL (Great Yarmouth): I beg to ask the First Lord of the Admiralty if his attention has been called to the totally unwatched condition of the north coast of Devon and to the two wrecks that occurred there recently without being observed or assisted by the coastguard; and, if so, what steps, if any, he proposes to take to provide for the more efficient watching of this part of the coast.

Mr. SOARES (Devonshire, Barnstaple): Before that Question is answered may I ask the hon. Gentleman if he is aware that an inquiry is to be held at Barnstaple on 20th November next which will embrace the question of the efficiency of the coastguard in the neighbourhood?

*The PARLIAMENTARY SECRETARY TO THE ADMIRALTY (Dr. Macnamara, Camberwell, N.): The circumstances in which the two wrecks occurred are, it is understood, being considered by the Board of Trade. Although the coastguard co-operate as far as their duties permit in rendering assistance in cases of shipwreck, it is not part of their regular duty to patrol the coast for the purpose of watching for casualties, as will be evident from a perusal of the Blue-book (Command Number 4091) presented to Parliament this year.

Mr. FELL: May I ask if in this duty of patrolling the coast these coastguards do not render very efficient service in finding wrecks of this kind, and would it not be better if more men should not be dismissed?

*Dr. MACNAMARA: I have said it is not part of the regular duty of these men to patrol the coast for the purpose of watching for casualties.

Sir A. ACLAND-HOOD (Somersetshire, Wellington): In view of this reduction of coastguards may I ask the hon. Gentleman if he is aware that there is no harbour of refuge on that side of the Bristol Channel between Land's End and Bristol, and whether he will give his early consideration to the provision of a harbour of refuge?

*Dr. MACNAMARA: That is a Question which should, I think, be addressed to the President of the Board of Trade.

Devon Coastguard Service.

Mr. FELL: I beg to ask the First Lord of the Admiralty if any coastguards have been reduced from the service on the north coast of Devon during the past two years, and whether any have been or are to be reduced during the present year either on this coast or anywhere else in the United Kingdom.

*Dr. MACNAMARA: The only coastguard station closed on the north coast of Devon during the past two years is Morthoe, with two men, which was closed on the 25th March, 1907. As stated in the House by the late Financial Secretary, certain reductions in the coastguards are necessary, as there is a redundance both of men and stations—and these are being gradually carried out, thirty-three stations and detachments having been closed during the present year.

MR. FELL: Is not Morthoe situated in the very bay in which these wrecks occurred. Will he reconsider the point if it is redundant?

*DR. MACNAMARA: That matter is being inquired into by the Board of Trade.

MR. GRETTON (Rutland) asked to what extent the number of the coastguard had been reduced?

*DR. MACNAMARA asked for notice.

MR. FELL: I beg to ask the First Lord of the Admiralty if the life-saving arrangements on the north coast of Devon have been maintained, as promised, in fully as efficient a condition as they were before the reductions in the coastguard took place.

*DR. MACNAMARA: The Board of Trade is the Department responsible for life-saving arrangements, and this Question would appear to be one for that Department.

MR. FELL: May I ask whether in the discussions which arose on the Secretary of the Board of Admiralty's salary it was not promised that the efficiency of the life-saving apparatus would not be affected by the closing of any of the coastguard stations, and are not the Board of Admiralty responsible, therefore, in some degree?

*DR. MACNAMARA: Yes; but the Financial Secretary pointed out that there would be certain stations closed because of redundancy. The whole question of carrying on the life-saving appliances, which we do not desire to be reduced in any way whatever, is now under consideration by both Departments, including the Board of Trade, whose particular function I am advised it is.

MR. FORSTER (Kent, Sevenoaks): Will the hon. Gentleman postpone the further reduction of coastguard stations until the Life-saving Appliances Committee have reported?

DR. MACNAMARA asked for notice of the Question.

Expenses of W.O. Raven.

MR. COURTHOPE (Sussex, Rye): I beg to ask the First Lord of the Admiralty in view of the fact that on the 24th instant a member of the Rugby football team which represented London against the Australians on that date was conveyed to Portsmouth at public expense on board a torpedo boat specially detached for the purpose, whether he will refund to the National Rifle Association the sum paid to the Admiralty in respect of the journey from Malta of W. O. Raven to join the rifle shooting team which recently represented the mother country in the Colonies.

DR. MACNAMARA: There is no official knowledge of the incident referred to. No reason is seen for reopening the question as to the payment of the expenses of Mr. Raven's journey to the Colonies.

Overtime in Dockyards.

MR. W. THORNE (West Ham, S.) I beg to ask the First Lord of the Admiralty can he state the number of men that would be required under his control if the hours of those men who were working more than eight per day were reduced to eight per day.

DR. MACNAMARA: The hours worked in excess of forty-eight hours a week per man during the current financial year are equivalent to the ordinary working hours of an average total of 380 men in the six home dockyards, but such employment in excess of forty-eight hours a week could not be avoided by entering additional men. It may be observed that the total number of men at present employed in the home dockyards is 31,438, so that the time worked in excess of forty-eight hours a week represents slightly over one per cent. on the ordinary working hours.

Mahomedans on Bombay Municipal Councils.

*MR. REES (Montgomery Boroughs): I beg to ask the Under-Secretary of State for India whether the Government of Bombay declined to introduce the principle of communal representation of Mahomedans upon municipal councils; and whether, if the answer be in the affirmative, the rejection of this principle is consistent with its introduction into the reforms now under consideration by the Secretary of State in Council.

THE UNDER-SECRETARY OF STATE FOR INDIA (Mr. BUCHANAN, Perthshire, E.): The Resolution of the Government of Bombay of July last is mainly to the effect that on account of the way in which the Mahomedan population is locally distributed in that part of India, its just representation on municipal committees could be better secured by other expedients than that of communal representation. The latter part of the Question is matter for argument, and the Secretary of State does not propose to discuss it.

Deputy Superintendents of Indian Police.

*MR. REES: I beg to ask the Under-Secretary of State for India whether, in conformance with the recommendation of the recent Police Commission, a new grade of deputy superintendent of police was created; and whether European inspectors of long service are ineligible for such appointments.

MR. BUCHANAN: The Answer to the first Question is in the affirmative. In accordance with the Report of the Commission, and the Resolution of the Government of India thereupon, this new grade is to be filled by Indians and not by Europeans.

Indian Civil Servants and Sanscrit.

*MR. REES: I beg to ask the Under-Secretary of State for India whether, following upon the endowment of four Government scholarships for encouraging the scientific study of Sanscrit and Arabic by natives of India, the Government of India proposes to take similar steps for the encouragement of the like studies on the part of Indian Civil servants.

MR. BUCHANAN: Such studies on the part of Indian Civil servants are already encouraged by the offer of substantial money rewards for passing examinations in the languages referred to, and it is not intended to establish scholarships for this purpose.

*MR. REES: Are the rewards sufficiently encouraging?

MR. BUCHANAN: Yes, the money reward is 2,000 rupees for proficiency and 5,000 rupees for an honours degree.

*MR. REES: Is the Under-Secretary aware that these rewards hardly cover the cost of tuition, and that further encouragement is necessary?

Mysore Schools.

*MR. REES: I beg to ask the Under-Secretary of State for India whether the Government of Mysore has directed the introduction of religious and moral instruction into all Government schools and colleges, for the express reason that irreverence of all kinds and disrespect for authority has been on the increase; whether specific religious instruction during school hours is now given in Mysore from the sacred books of the Hindus, Mahomedans, and Christians; and whether the Government of India proposes to adopt the same method of dealing with the present unrest in India at the root.

MR. BUCHANAN: The Secretary of State has seen a resolution of the Government of Mysore directing the introduction of a system of religious and moral instruction in all Government schools and colleges in that State with effect from the 1st November next. The measure is in the nature of an experiment, and its working will be watched with interest.

*MR. REES: Will the Government of India follow the example in this behalf of this native State which has found so much favour in the eyes of the hon. Member for Merthyr?

MR. BUCHANAN: I think we had better wait and see how the experiment works.

Indian Garrison Churches.

MR. DUNDAS WHITE (Dumbartonshire): I beg to ask the Under-Secretary of State for India whether any arrangement has been come to between the denominations concerned with a view to settling the differencees about the garrison churches in India; and, if so, whether that arrangement involves the building of additional churches at the expense of the Indian taxpayer.

Mr. BUCHANAN: The Secretary of State is in communication with the authorities of the churches concerned, but he is unable at present to make any statement on the subject.

Indian Famine Relief Reports.

Mr. R. HARCOURT (Montrose Burghs): I beg to ask the Under-Secretary of State for India whether the Secretary of State is now prepared to consider the advisability of presenting to Parliament all or part of the Reports relating to the recent famine relief operations in India, in view of the publication of a Report by the Government of the United Provinces, and of the interest which the account of such relief work would have in connection with the question of unemployment.

Mr. BUCHANAN: As soon as the Report of the Government of the United Provinces reaches him, the Secretary of State will consider the expediency of presenting it; and he will do the same as regards the reports of other provinces where relief operations have been undertaken.

Cost of Indian Ecclesiastical Establishment.

Dr. RUTHERFORD (Middlesex, Brentford): I beg to ask the Under-Secretary of State for India what was the cost to Hindus, Mahomedans, Sikhs, Jains, Buddhists, and Animists for the upkeep of Anglican and Roman bishops, priests, structures, and cemeteries for 1906–7 and 1907–8; and whether the Government of India contemplate adding to the Indians burden by putting Presbyterian divines, structures, and cemeteries on the Indian Exchequer.

Mr. BUCHANAN: The last figures available are those for 1906–7, which are contained in a Return issued on 3rd March last. The total cost of the Ecclesiastical Establishments in India for that year was about £153,000. The cost of the Presbyterian Establishment is included in the above total.

Mr. HAROLD COX (Preston): Can the hon. Gentleman say how many belong to the Presbyterians?

Mr. BUCHANAN: I cannot say.

Dr. RUTHERFORD: Will the hon. Gentleman answer the last part of the Question?

*Mr. REES: Is the Under-Secretary aware that the natives of India respect Christians for respecting Christianity?

Native Labour for the Rand Mines.

Mr. STAVELEY-HILL (Staffordshire, Kingswinford): I beg to ask the Secretary of State for Foreign Affairs whether the Portuguese Government are encouraging the recruiting of native labour from their Colonies for the Rand Mines; and whether payment is made to the Portuguese Government for each native recruited.

The UNDER-SECRETARY of STATE for the COLONIES (Colonel Seely, Liverpool, Abercromby): Perhaps I may be allowed to answer this Question. The recruiting of Portuguese natives for the Rand Mines is regulated by the Agreement of December, 1901, printed at page 189 of Cd. 2104. Articles VI. and IX. specify the payments to be made to the Portuguese Government.

Victoria Falls.

Mr. DUNDAS WHITE: I beg to ask the Under-Secretary of State for the Colonies what is the nature of the title of the Victoria Falls Power Company, Limited, to the Victoria Falls on the Zambesi and the adjoining land; whether it is freehold or leasehold, or what is the nature of the tenure; when it was granted; how much land it includes; whether it gives the monopoly of using the Falls for power purposes or for the transmission of power to a distance; and what is the price current paid to the company, and to whom it is paid.

Colonel SEELY: My predecessor in reply to a Question from the hon. Member for the Cirencester division on the 14th of May, 1907, gave certain particulars as to an indenture and agreement providing for the lease of the Victoria Falls by the British South Africa Company to the African Concessions Syndicate Limited. In that agreement power was taken to assign any or all of the rights and benefits accruing under it to the Victoria Falls Power Company, Limited. The Secretary of State understands that such assignment has been made. The answer above referred to gives part of the information desired by my hon. friend but further inquiry is being made into the matter.

Natal Administration.

Mr. RAMSAY MACDONALD (Leicester): I beg to ask the Under-Secretary of State for the Colonies whether he has any information to give to the House regarding certain Bills passed by the Natal Government relating to the administration of Native affairs, and providing, amongst other things, that the Minister for Native Affairs and other officers exercising administrative functions under Native law shall not be subject to any court of law in the Colony by reason of any Act or matter whatsoever done in connection with their official duties, and generally making law in Zululand the *ipse dixit* of a magistrate; and whether, before His Majesty gives assent to these measures, their text will be laid upon the Table of the House and an opportunity given to discuss them should any considerable body of Members desire to do so.

Colonel SEELY: The Bill to provide for the better administration of Native affairs is printed in No. 5 in Cd. 4194. It has not yet been received in its final form and until it has been so received and reported on by the Governor I am not in a position to make any statement with regard to it.

Mr. RAMSAY MACDONALD: Can we have an assurance that the Government will not give their assent until the House has had an opportunity of considering the Bill?

Colonel SEELY said that if any considerable number of Members wished to discuss it opportunity might be found.

Sir G. PARKER (Gravesend): Will the Bill be laid before the House when received in its final form?

Colonel SEELY: It is impossible for me to say until I have seen it.

Sir GILBERT PARKER: As a matter of procedure has not this House a right to claim that a Bill which is reserved and which deals with native affairs shall be reprinted?

Colonel SEELY: That is a question of which I should like notice.

Mr. RAMSAY MACDONALD: Has the hon. Gentleman any idea when the Bill in its final form will be received?

Colonel SEELY: I cannot say exactly. I am anxious to give the House the fullest information.

Murder of English Settlers in the New Hebrides.

Mr. FELL: I beg to ask the Under-Secretary of State for the Colonies if he has any information respecting the reported murder of an English settler and his two daughters in the New Hebrides; and whether the same was caused by the recruiting laws in force there under the Conventions.

Colonel SEELY: A telegram was received on the 22nd instant from the High Commissioner for the Western Pacific reporting that a British settler, Mr. Creig, and his two daughters had been murdered by natives at South Santo on 12th October, and their house pillaged. H.M.S. "Prometheus" and native police (French and British) had been sent to the island. His Majesty's Government have no other information on the subject, but they have telegraphed asking that full particulars may be sent by mail. I fail to attach any meaning to the last part of the hon. Gentleman's Question.

Mr. FELL: The hon. Gentleman has not answered the last part of my Question.

Colonel SEELY: I have said I fail to attach any meaning to it.

Earl WINTERTON (Sussex, Horsham): Will the hon. Gentleman inquire whether in the past similar outbreaks were caused by the recruiting laws?

Colonel SEELY: I do not see how that arises out of the Question.

The Exiled King of Benin.

Mr. CATHCART WASON (Orkney and Shetland): I beg to ask the Under-Secretary of State for the Colonies if the Government will now consider the case of Overiami, ex-king of Benin, who has been in banishment from his country and people for nearly ten years, with the view of permitting him to return home; and if he is aware that the British mission to Benin was the original aggressor, and also that there was no direct evidence inculpating the ex-king with the disastrous results to the said mission, for which he has suffered punishment.

COLONEL SEELY: The case has been considered, and I regret to say that I cannot hold out any hope of its being possible to agree to the return of Overiami. The Secretary of State is fully aware of the circumstances as described in the Papers presented to Parliament in August, 1897, but, as the mission was a pacific one and the officers taking part in it were unarmed, the term "aggressor" seems hardly appropriate. There can be no question as to the part played by Overiami in the matter.

MR. CATHCART WASON asked whether it was a fact that the officers and men were especially warned not to go there.

COLONEL SEELY replied that if his hon. friend would look back he would find in the Blue-book that it was quite a mistake to regard the mission as the aggressors. The state of affairs described in the Blue-book was very shocking and made it impossible for the Government to reconsider this matter.

British Indians in the Transvaal.

MR. J. M. ROBERTSON (Northumberland, Tyneside): I beg to ask the Under-Secretary of State for the Colonies whether British Indians resident in the Transvaal have taken the step of becoming naturalised as Portuguese subjects in Portuguese territory, and have thereafter been able to enter the Transvaal freely; and whether the Secretary of State for the Colonies recommends British Indians to follow this procedure in order to live freely in the Transvaal.

COLONEL SEELY: I have no information as to any such incidents as are referred to by my hon. friend.

MR. J. M. ROBERTSON asked whether naturalisation as Portuguese would enable these Indians to get over the difficulty.

COLONEL SEELY said he had looked up the documents, but as the subject involved a legal question he asked his hon. friend to put down a precise Question.

MR. J. M. ROBERTSON: I beg to ask the Under-Secretary of State for the Colonies whether he is aware that a number of British Indians domiciled in the Transvaal, upon returning from India by Delagoa Bay without having registered under the Asiatic Law Amendment Act, have been arrested at the Transvaal frontier; whether, among those arrested, there were an aged woman, a paralytic, and a number of infants, who were exposed for a day and night in the open air; whether for two days they were offered only religiously unclean food and prevented from receiving other food; whether a number of the women and children were separated from their male protectors and sent to Johannesburg in trucks; and whether His Majesty's Government will appeal to the Government of the Transvaal to adopt other methods in dealing with such cases.

COLONEL SEELY: The Secretary of State, on his attention being drawn to allegations of ill-treatment of Indians, telegraphed on 13th October to inquire. The following reply was yesterday received from the Governor:—"Your telegram of 13th October, No. 1, on 29th September fifty-nine adult and seventeen minor Asiatics entered Colony without necessary certificates of registration. They were removed from train at Komati Poort where the accommodation provided them was sufficient and clean. Ample food including rice was provided them but they preferred to obtain their own from outside lockup which they were allowed to do. Usual lockup regulations considerably relaxed in their favour. They were subsequently taken to Barberton for trial, fifty-eight adults convicted and sentenced to fine of twenty five pounds each or in default to two months imprisonment, despatch follows by mail. Ministers promise further report on subject of diet of Indian prisoners." I have not at present any further information.

MR. LUPTON (Lincolnshire, Sleaford): Can the hon. Gentleman tell us what are the precise advantages of being a subject of the British Empire?

COLONEL SEELY: There are innumerable advantages, but those advantages are somewhat minimised when you deliberately break the law.

MR. J. M. ROBERTSON: What about the infants exposed in the open air?

COLONEL SEELY: We have telegraphed for information, but I can assure the hon. Gentleman there is every desire to avoid unduly harsh treatment.

Licensed Premises in Canada.

MR. CHARLES ROBERTS (Lincoln): I beg to ask the Under-Secretary of State for the Colonies whether licensed premises were closed throughout the Dominion of Canada on the day of this week on which the Canadian Parliamentary elections were held; and if he has any information as to the working of this regulation.

COLONEL SEELY: The Dominion Elections Act of 1900 provides that no spirituous or fermented liquors or strong drinks shall be sold or given at any hotel, tavern, shop, or other place within the limits of any polling division, during the whole of the polling day at an election. I have no information as to the working of this regulation.

Old-Age Pensions.

MR. HERBERT (Buckinghamshire, Wycombe): I beg to ask the First Lord of the Treasury whether, seeing that it is the duty of the Treasury under the Exchequer and Audit Act to see that no money is issued from the Consolidated Fund for payments other than such as are authorised by Parliament, and having regard to the fact that, although the Old-age Pensions Act requires all property of every kind to be taken into account in estimating the means of applicants for old-age pensions, instructions have been issued to pension officers to disregard furniture to the extent of £30 belonging to applicants, it will be the duty of the Comptroller of Exchequer issues before authorising any payment to the Post Office in respect of old-age pensions, and the duty of the accounting officer of the postal department before authorising payments to local post offices, to require evidence that such payments are to be applied only in payment of pensions to persons qualified and at the rate specified by the terms of the Old-age Pensions Act; and whether in order to avoid the possible deadlock that may arise when the money is required for payment of pensions, he will revise the instructions and make them consistent with the provisions of the Old-age Pensions Act.

THE CHANCELLOR OF THE EXCHEQUER (Mr. LLOYD-GEORGE, Carnarvon Boroughs): No issues will be made from the Exchequer to the Post Office in respect of old-age pensions.

Bronze Coinage.

SIR WILLIAM BULL (Hammersmith): I beg to ask the Prime Minister whether he will consider the advantages of replacing the present bronze coinage with nickel, such as has been recently introduced in India, where the anna is minted at a size slightly larger than a sixpenny piece, with undulating edges for difference.

MR. LLOYD-GEORGE: I am not aware of any advantages which would justify the expense and disturbance to trade which would accrue from such a change.

Early Morning Drinking.

MR. HOLT (Northumberland, Hexham): I beg to ask the Prime Minister whether, in view of the harm arising from the consumption of alcoholic stimulants previous to the commencement of work in the morning, he will consider the desirability of inserting in the Licensing Bill a clause giving to the licensing justices the power of requiring licensed premises to remain closed on week-days until 8 a.m.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, W.): I beg to answer this Question on behalf of my right hon. friend. I cannot at the present stage undertake to put down an Amendment to the Bill in the sense desired by my hon. friend; but I am disposed to agree that it is a matter deserving of discussion, and I observe that he has an Amendment to Clause 20 on the Paper for the purpose.

MR. WATT (Glasgow, College): Will the right hon. Gentleman say at what hour of the day it is beneficial to take half-a-noggin?

[No Answer was returned.]

Welsh Church Commission Report.

MR. D. A. THOMAS (Merthyr Tydvil): I beg to ask the Prime Minister if he can say when the Report of the Welsh Church Commission is likely to be issued.

MR. GLADSTONE: I beg to answer this Question on behalf of my right hon. friend. The Report of the Welsh Church Commission is in a forward condition, and it is hoped will be considered by the Commission before the end of the present session.

Policeman's Day of Rest.

MR. W. THORNE: I beg to ask the Secretary of State for the Home Department how many extra police would be required to join the force in the event of one day's holiday in seven being granted to all the Metropolitan Police instead of one in fourteen days.

MR. GLADSTONE: The Commissioner of Police in his evidence before the Select Committee which is now considering the question of granting a weekly rest day to police forces, estimated the number to be added at 1,555 men.

MR. W. THORNE: May I ask whether the right hon. Gentleman has the intention of carrying out this reform during this session?

MR. GLADSTONE: The matter is under the consideration of the Committee.

Alien Immigration.

MR. WILLIAM RUTHERFORD (Liverpool, West Derby): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the case of Sarah Mulne, brought from Russia to England by her parents when about two years old in 1894, admitted to the Whitechapel Union in 1900, and continued there as a pauper patient until the guardians ordered her discharge for the purpose of her being sent to America on the personal application of her mother, the father in the meantime having gone to America and become a naturalised citizen in the United States; whether he is aware that, after being rejected in America, the girl was returned to Liverpool as being the port from which she came, and admitted to the Mill Road Infirmary of the West Derby Union, where she still remains; and whether, seeing that the ratepayers of the West Derby Union will be saddled with the future care and maintenance of this girl of fifteen years because Liverpool is the port from which she came, he is prepared to take any and, if so, what, action in the matter.

MR. GLADSTONE: As at present advised, I doubt whether I have any power to take action in this matter, but I will make full inquiry, and will communicate with the hon. Member.

White Phosphorus Matches Bill.

MR. WILLIAM RUTHERFORD: I beg to ask the Secretary of State for the Home Department whether his attention has been called to the fact that firms of match importers had current contracts in existence for considerable quantities of matches for future delivery made prior to the First Reading of the White Phosphorus Matches Bill on 30th July, 1908; and, secondly, that on the passing of such Bill there would probably be considerable stocks, both in wholesale and retail hands, which could not in ordinary course be sold and consumed prior to the 1st January, 1910; and whether the Government would be prepared to accept an Amendment by way of proviso to Clause 2 of the Bill and Clause 3 of the Bill, whereby first the matches delivered in the United Kingdom in pursuance of contracts *bona fide* entered into prior to 30th July, 1908, and secondly the matches *bona fide* imported into the United Kingdom prior to the passing of the proposed Act, would be exempt from the penalties and provisions of the Act.

MR. GLADSTONE: According to the information in my possession, the period of grace allowed by the Bill, which was eighteen months from the date of the introduction of the Bill, was ample for the purpose of the disposal of stocks delivered under contracts existing at that date; only one representation to the contrary effect has reached me, and that just recently. There would be difficulties in the way of exempting particular stocks of matches from the operation of the Bill, but I shall be happy to consider any evidence of hardship that can be shown to be caused by the provisions of the Bill.

Magistrates' Clerks.

Mr. LEVY LEVER (Essex, Harwich): I beg to ask the Secretary of State for the Home Department whether he is aware that it sometimes happens that the clerk to a bench of county justices is concerned professionally in cases in which the said bench is called upon to adjudicate; and whether, having regard to the possibility of a miscarriage of justice in such circumstances, he will introduce legislation to put an end to such a system.

Mr. GLADSTONE: I am not aware of any such cases having occurred as would make legislation on the subject desirable. It is, I believe, generally recognised that where justices have to adjudicate between two parties, their clerk is under a stringent obligation not to act professionally for either side, but if the hon. Member will let me know of any instances to the contrary, that may have come to his knowledge, I will have inquiry made.

Vivisection.

Sir G. KEKEWICH (Exeter): I beg to ask the Secretary of State for the Home Department if he can state how long a time the experiment described by Surgeon-Colonel Lawrie, in his evidence before the Royal Commission on vivisection as having been made by Dr. Gaskell, lasted, including the time occupied in the dissection of the necks of two dogs, and during how much, if any, of that time an anæsthetic was employed upon both or either of the dogs; and, if an anæsthetic was used, what anæsthetic it was.

Mr. GLADSTONE: Particulars of the experiments are to be found in the evidence given before the Royal Commission. I cannot further discuss in this House a case which is under the consideration of the Commission.

Case of Jane Morrice.

Mr. LUTTRELL (Devonshire, Tavistock): I beg to ask the Secretary of State for the Home Department whether he would inquire into the case of Jane Elizabeth Morrice, who was sentenced at the Middlesex sessions on Saturday last to five years penal servitude and two years police supervision for stealing 1d.

Mr. GLADSTONE: As I have already stated, I cannot reply to this question until the ten days within which the prisoner may apply for leave to appeal against her sentence have expired.

Army Reservists in the Police Force.

Mr. CARLILE (Hertfordshire, St. Albans): I beg to ask the Secretary of State for the Home Department whether it is the practice of the Chief Commissioner of the Metropolitan Police to refuse to take into its force time-expired soldiers of His Majesty's Army who have passed into the Reserve; and, if so, on what grounds these men are refused employment in this force.

Mr. GLADSTONE: No, it is not the practice to refuse to take Army Reservists into the Metropolitan Police. There is a large number now serving.

Mr. CARLILE: Is the right hon. Gentleman aware that, at any rate, one case came under my notice of a man being refused on the ground that he still had some years to serve in the Reserve?

Mr. GLADSTONE: There is a regulation limiting the number to 600, for obvious reasons.

Mr. CARLILE: Is that limit at present approached in any degree?

Mr. GLADSTONE: I imagine that the limit has been reached, but I will ascertain.

Imports of Motor Cars.

Mr. FELL: I beg to ask the President of the Board of Trade how many foreign-made motor cars were imported into the United Kingdom during the year 1907 and their value, and also the value of the parts and accessories imported; and how many British-made cars were exported during the same period and their value, and the value of the parts and accessories.

The PRESIDENT of the BOARD of TRADE (Mr. Churchill, Dundee): The total number of imported motor cars consigned to the United Kingdom from foreign countries in 1907 was 4,791, of a declared value of £2,075,555. The value of parts and accessories of motor cars consigned from foreign countries was £2,472,289. During the same year 2,318 British-made motor cars were exported, valued at £857,647. The value of British-made parts and accessories exported was £467,311.

Mr. HAROLD COX: Were any of these foreign cars sold to tariff reformers in this country?

[No Answer was returned.]

Emigration Statistics.

Mr. HUNT: I beg to ask the President of the Board of Trade how many people emigrated from the United Kingdom, Germany, and the United States, respectively, in 1906, and how many immigrants entered America in the same year.

Mr. CHURCHILL: I will have such information upon the subject as is available printed in the Votes.

[The following is the information referred to.]

The following statement gives such of the information asked for by the hon. Member as available from official records, and indicates the principal qualifications which have to be borne in mind in attempting any comparison between the figures.

1. United Kingdom. — No records exist of "emigration" properly so-called, *i.e.*, of emigration for settlement abroad. Over a series of years, however, it may be assumed that the net outward movement of passengers of British nationality to non-Europeon destinations affords a fair estimate of the volume of such emigration. The figures of this net outward movement for 1906 are as follows:—

Outward Movement	
Number of Passengers of British and Irish nationality leaving the United Kingdom for places out of Europe - - -	325,137
Inward Movement.	
Number of Passengers of British and Irish nationality arriving in the United Kingdom from places out of Europe -	130,466
Net Balance Outward -	194,671

2. Germany.— The total number of "emigrants" (so described in Official Returns) of German nationality embarked at German and certain foreign ports in 1906 for non-European countries is officially recorded as 30,764.

3. United States.—In ordinary years there is probably very little real emigration from the United States. The number of passengers, other than cabin passengers, leaving the seaports of the United States (not including British North America) in the year ended 30th June, 1907, was, however, 344,989.

The total number of "alien immigrants" admitted into the United States during the calendar year 1906 was 1,241,836.

French Assay Marks.

Mr. MOND (Chester): I beg to ask the President of the Board of Trade whether he can now say what action has been taken with regard to the proposal of the French Government that French plate bearing French assay marks should be admitted into this country without liability to further assay and hall marking.

Mr. CHURCHILL: The French Government were informed in July last that, after full consideration, His Majesty's Government felt that the difficulties which prevent the adoption of such a proposal are insuperable.

Labour Exchanges.

Sir FRANCIS CHANNING (Northamptonshire, E.): I beg to ask the President of the Board of Trade what steps have been, and are being, taken to create through the Board of Trade a systematic and co-ordinated organisation of labour exchanges in this country.

Mr. CHURCHILL: The subject is being thoroughly explored by the Board of Trade in relation to the general questions of unemployment, under employment, and casual labour. I have at present no statement to make upon it.

Sir FRANCIS CHANNING: Is there any truth in the rumour that special appointments have been made by the Board of Trade in connection with this organisation?

MR. CHURCHILL: There is no truth whatever, so far as I am aware.

MR. MARKHAM (Nottinghamshire, Mansfield): Is the right hon. Gentleman aware that under the system of labour bureaux in New South Wales free railway tickets are given to men seeking work?

MR. CHURCHILL: I have no information on the subject.

MR. MARKHAM: Will the right hon. Gentleman search the records?

MR. CHURCHILL: I shall be glad to get all the information I can.

Imported Boneless Meat.

MR. WATT: I beg to ask the President of the Local Government Board if he is aware that quantities of boneless meat have been imported during this year, entailing much labour and expense on the part of the sanitary authorities of the ports where it is landed; that this meat is consumed by the whole country and not alone by the inhabitants of the ports of importation, while the ports' authorities are called upon to pay for the inspection; and whether he will see that they are reimbursed their extra expense or that a national system of inspection be instituted.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. JOHN BURNS, Battersea): I would refer my hon. friend to the Answer I gave yesterday to a Question he put to me on the subject of the importation of boneless meat. I am afraid I could not hold out any expectation that the suggestion in the last part of his present Question could be adopted, but I may repeat what I said yesterday, viz., that the Foreign Meat Regulations recently issued will have the effect of preventing the importation for consumption in England and Wales of meat of the class referred to.

MR. WATT: Is not this meat sent in greatest bulk to the ports where there is an absence of inspection?

MR. JOHN BURNS: If any facts with regard to that are laid before me I will gladly consider them.

Depwade Union Vaccinators.

MR. STAVELEY-HILL: I beg to ask the President of the Local Government Board whether all the public vaccinators in the Depwade Union, in the county of Norfolk, resigned their appointments on 14th March, 1908; and, if so, whether the vacancies have been filled.

MR. JOHN BURNS: The Answer to the first part of the Question is in the affirmative, and to the second in the negative. There is a difference of opinion between the guardians and the public vaccinators as to the fees which should be paid to the latter. The Local Government Board have endeavoured to bring about a settlement of the matter, but have not at present succeeded. I understand that negotiations are still proceeding between the guardians and the medical men.

MR. STAVELEY-HILL: What steps are being taken by the Local Government Board to secure that the children are vaccinated?

*MR. JOHN BURNS: The matter is being dealt with.

MR. LUPTON: Have the parents displayed any great anxiety to have their children vaccinated?

[No Answer was returned.]

Reports on Distress.

MR. R. HARCOURT: I beg to ask the President of the Local Government Board whether he has called for reports from local authorities similar to those published in the Second Report of the Select Committe on Distress owing to Want of Employment, dated May 1895; and, if not, whether it is proposed to do so.

MR. JOHN BURNS: I have not thought it necessary to call for reports from all local authorities on the subject of the want of employment in their districts; but my inspectors keep me in touch with the circumstances of various localities.

MR. R. HARCOURT: Can the right hon. Gentleman inform the House how many men previously unemployed are at present actually at work in London, Manchester, and Leeds?

MR. JOHN BURNS: My latest information is that there are 566 in Leeds, 1,400 in Manchester, and 1,900 in London.

Insanitation at the Franco-British Exhibition.

MR. RAMSAY MACDONALD: I beg to ask the President of the Local Government Board whether his attention has been called to the complaints made of the insufficient sanitary accommodation provided at the Franco-British Exhibition, and, more particularly, the failure in this respect to provide for the convenience of employees; and what steps, by legislation, or otherwise, in view of the re-opening of the exhibition next year, he proposes to take to remove the causes of complaint.

MR. JOHN BURNS: My attention has been called to this matter. I have on several occasions caused it to be investigated by one of the medical inspectors of the Local Government Board, and have urged upon the Exhibition authorities and the Hammersmith Borough Council the need for further accommodation. Some action has been taken as a result, but it does not appear to be sufficient, and I am still pressing the matter upon the borough council, who are now taking legal advice as to their powers with regard to it. I shall not lose sight of the subject.

MR. MARKHAM: Is it not a fact that the exhibition closes this week, and that this disgraceful state of affairs has existed for weeks past? Why did not the right hon. Gentleman move in the matter before?

MR. JOHN BURNS said the hon. Member was entirely mistaken. Three months ago he and two inspectors paid several visits to the exhibition, and caused to be made a considerable improvement upon what then prevailed.

MR. MARKHAM: Is not the present state of affairs disgraceful in the extreme?

MR. JOHN BURNS: Not to-day.

MR. MARKHAM: Then why are you taking action now?

MR. JOHN BURNS: Mainly with the object of preventing the recurrence of similar things at any future exhibition that may be held.

Unemployment at Leeds.

MR. LANE-FOX (Yorkshire, W.R., Barkston Ash): I beg to ask the President of the Local Government Board if he will state on what authority he has based his estimate that £20,000 has been collected in Leeds among private citizens for the relief of the unemployed.

MR. JOHN BURNS: It was reported in the Press that the Lord Mayor had received over £18,000 a fortnight ago. I am making some further inquiry as to the exact facts.

MR. O'GRADY (Leeds, E.): I beg to ask the President of the Local Government Board whether he is aware that it is impossible to compress the work for the unemployed in Leeds involved in the expenditure of £120,000 into the slack months of 1908–9; that the city authorities estimate out of the total sum £20,000 will be spent in wages; that the sum collected from the citizens to be distributed in relief of necessitous cases and not on public works is £3,000; that the corporation refused to vote the Lord Mayor £10,000 for minor works; if so, whether, in view of the efforts made by the Leeds Corporation and the citizens to deal with the relief of the unemployed in the locality, he can determine the amount of the subvention likely to be granted to the local authorities from the central fund.

MR. JOHN BURNS: I am aware of the facts connected with the efforts which are being made at Leeds to provide work upon which the unemployed will be engaged. I cannot say precisely how long the works referred to will take to complete, but I learn with satisfaction that some of them have already been commenced, and that others will be very shortly. I have already paid £1,400 to the Leeds Distress Committee out of the grant. This is a larger sum than they received during the whole of last season. As the winter proceeds I shall probably make further payments to them, but I cannot say beforehand what the amount will be. This must necessarily depend upon the circumstances.

Distress Relief Works.

SIR FRANCIS CHANNING: I beg to ask the President of the Local Government Board whether he has considered the facts disclosed in the Return of Proceedings of the Distress Committees for 1907–8; that 14 per cent. of the applications were not investigated at all because only such cases were investigated as work could be found for on relief works or otherwise; that of the 54,613 applicants found to be qualified, employment could only be offered to 41,459; that of these 41,459 no less than 5,469 persons, for various reasons, did not take up the work offered; and whether, having regard to these and other facts, he will, in the orders or regulations to be issued, encourage the Distress Committees to provide, so far as possible, a greater variety of work specially suited to the industrial training and capacities of groups of workers, and will do all in his power to create or expand, without waiting for legislation next year, further facilities for thus drafting men off to the skilled or unskilled employment for which they are specially qualified, either by systematic organisation of labour exchanges or by enabling the Distress Committees, where possible, to make direct arrangements with private employers to take on men for special work in factories or on works temporarily out of operation.

MR. JOHN BURNS: I will bear in mind my hon. friend's suggestion. Legislation would be needed to provide for the organisation of labour exchanges on mutual lines. The Distress Committees are at present empowered to arrange with private employers to take on men.

Unemployment in America.

MR. HADDOCK (Lancashire, North Lonsdale): I beg to ask the President of the Local Government Board if he will state the basis of his calculation that in America there were 4,000,000 unemployed workmen; and will he say what was the number similarly unemployed in the United Kingdom.

MR. JOHN BURNS: The statement that there were 4,000,000 unemployed workmen in America was not founded upon any calculation of my own. It is stated in *The Times* of the 2nd instant, that the number cannot now be less than 3,000,000 to 4,000,000, and I understand that in reports presented to the Civic Convention in New York in April last the number of unemployed mechanics and labourers (excluding farm labourers) was given as 4,750,000. It is not possible to estimate the number of unemployed in the United Kingdom with any degree of accuracy.

EARL WINTERTON (Sussex, Horsham): Is it not even more difficult to estimate the number of unemployed in the United States with any degree of accuracy?

MR. JOHN BURNS: It was until recently when the New York State decided upon establishing a new method of calculation.

EARL WINTERTON: Is the right hon. Gentleman aware that New York is only one of some thirty odd States?

MR. JOHN BURNS replied that New York State was universally taken by statisticians, for figures and deductions therefrom, as a standard State, and if the noble Lord would see the later reports to the New York Department he would find his statement confirmed.

MR. HUNT inquired whether the great difference between the two countries was that the unemployed in America had money in their pockets, while here they had not.

MR. JOHN BURNS said he happened to have visited America three times, and had seen the unemployed in both countries. The only difference he could detect, apart from numbers, was that the unemployed in America, for a short time after losing work, were better dressed, and many did not drink so much as some of his fellow countrymen. [LABOUR cries of "Oh" and "It is not true."] In point of number of days idle, the advantage was with the British workman.

MR. O'GRADY: It is a shameful comparison.

AN HON. MEMBER: A perfectly true one, though.

Free Night Shelters.

MR. HADDOCK: I beg to ask the President of the Local Government Board if he will state the basis of his calculation that there were 800,000 people housed and fed in the free night-shelters in Berlin alone every year; and, on a similar computation, what is the number annually fed in night shelters and workhouses in London.

MR. JOHN BURNS: For the precise figure 800,000, as represening the number of persons annually housed and fed in Berlin in public and private shelters, I would refer the hon. Member to W. H. Dawson's book "The German Workman" (p. 134). I am not aware of any statistics as to the number of persons annually fed in night shelters in London, but perhaps I may refer the hon. Member to some interesting figures on the subject, contained in Sir Shirley Murphy's Report to the London County Council, submitting the result of a census of homeless persons on the night of the 8th February, 1907.

EARL WINTERTON: Is it not the fact that the figures on which the right hon. Gentleman bases his calculations are arrived at by adding together the number of men who have been at the night refuges every day in the year, and treating them as separate individuals?

MR. JOHN BURNS: If the noble Lord will turn to the Report issued by the Labour Bureau of Washington he will see the significant admission that in 1904 there were over 4,000,000 admissions representing 2,000,000 people.

The Education Bill.

MR. D. A. THOMAS: I beg to ask the Prime Minister whether the Government is represented at, or is in any way privy to, the negotiations that have lately been proceeding with the object of arriving at a settlement by general agreement of the more important controversial points that have arisen over the Education Bill; of what representative authority, if any, those engaged in negotiations are possessed; and to what extent they are empowered to bind those for whom they are supposed to act.

THE PRESIDENT OF THE BOARD OF EDUCATION (Mr. RUNCIMAN, Dewsbury): No formal negotiations have been carried on by the Government, but I have, of course, lost no opportunity of collecting opinion in many quarters, and I am not yet without hope that a settlement by general agreement may be reached.

MR. D. A. THOMAS: Can the right hon. Gentleman give an assurance that the Government will not commit the House to any compromise which will whittle away the principle of the Bill?

MR. RUNCIMAN: The Government are not likely to abandon any of the principles of the Bill.

Christmas Work in the Post Office.

MR. CLAUDE HAY (Shoreditch, Hoxton); I beg to ask the Postmaster-General what proportion of the 8,000 extra hands to be employed at Christmastide will work for two weeks, what proportion for four weeks, what proportion for six weeks, what proportion for eight weeks, what proportion for ten weeks, what proportion for twelve weeks, and what proportion for fourteen weeks; and what proportion will receive 20s. per week, and what proportion 24s. per week.

*THE POSTMASTER-GENERAL (Mr. SYDNEY BUXTON, Tower Hamlets, Poplar): I stated in my reply to the hon. Member's Question on the 26th instant that I hoped to be able somewhat to increase the number of extra hands in London at Christmastide by a further reduction in the amount of overtime. I am glad to say that I have now been able to arrange for the employment of 200 additional men. In round numbers about 3,900 persons will be employed for the actual Christmas week and up to two weeks; 2,400 from that up to four weeks; 1,700 from that up to six weeks; 71 will be employed between six and eight weeks; 69 between eight and ten weeks; and 34 over that period. The fixed rate for adults is 24s., and besides this they will receive additional payment, apart from overtime, for specially heavy work on Christmas Day and Boxing Day. A certain number employed on sorting duties receive 20s. a week for a short time where they require training.

Mr. CLAUDE HAY asked if it was the fact that applicants for employment receive a printed form stating there were no vacancies.

Mr. SYDNEY BUXTON: I am not sure if there are any vacancies left.

Overtime in the Post Office.

Mr. W. THORNE: I beg to ask the Postmaster-General, can he state the number of men that would be required under his control if the hours of those men who were working more than eight per day were reduced to eight per day.

Mr. SYDNEY BUXTON: The information for which the hon. Member asks is not available. In the case of the great majority of Post Office servants the hours of duty are eight per day, or less. As regards those classes whose hours of duty are over eight hours they have been fixed in accordance with the recommendations of the recent Select Committee on Post Office Servants.

Barcelona Coal Contract.

Mr. WATT: I beg to ask the Lord Advocate, whether he is aware that the institution of a civil action by J. and P. Coats, Limited, in the question of the Barcelona contract for coal would mean a large disbursement of money in payment of Edinburgh solicitors' and counsel's fees in pursuit of a possible £20 damages; whether it is the duty of the Crown Agent in Scotland to prosecute in cases where the defrauded himself would prosecute in England; and, if so, will he advise the Crown Agent to reconsider his decision.

I beg also to ask the Lord Advocate, with reference to the export of coal to Barcelona in January last by J. and P. Coats, Limited, of Paisley, whether the procurator fiscal into whose hands the case was first put was on the point of instituting proceedings when he was interfered with by the Crown Agent in Edinburgh; and whether the action of the Crown Agent followed in point of time, considerable influence being exercised by the coal trade, by shipowners, and by wealthy merchants generally.

*The LORD ADVOCATE (Mr. Thomas Shaw, Hawick Burghs): I again refer the hon. Gentleman to the answer given by me on this subject on 19th October to a question put by the hon. Member for East St. Pancras. Not the slightest blame attaches to the Crown Agent or others. The ultimate decision was come to by me after careful and personal consideration. The responsibility for it is mine and it is not in accordance with practice to enter by way of answer to a Question into the grounds of the decision. As to the astounding and unfounded suggestion at the close of the second Question the hon. Member must judge of his responsibility.

Mr. D. A. THOMAS: Having regard to the condition of the export coal trade, will the right hon. Gentleman reconsider his decision?

*Mr. THOMAS SHAW: A discussion could take place on the Vote for my salary. On such an occasion it would give me great pleasure to deal with these statements, which are not my statements, and to defend the action of the Crown agent.

Mr. WATT: Does not the discretion which rests in the Crown agent give rise to wirepulling?

*Mr. THOMAS SHAW: I must ask the hon. Member again to consider his responsibility in putting these questions which are quite unfounded.

United Irish League Resolutions in the Press.

Mr. LONSDALE (Armagh, Mid): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether any decision has yet been arrived at with reference to the prosecution of newspapers which publish intimidatory resolutions passed by the United Irish League branches, and of the members of the League who pass these resolutions and organise the acts of intimidation which follow them.

The CHIEF SECRETARY for IRELAND (Mr. Birrell, Bristol, N.): Proceedings will be taken to prevent the publication by newspapers of resolutions of an intimidatory character. The proceedings to be taken must depend upon the circumstances of each case, and no general rule can be laid down beforehand.

Conflicts with Irish Police.

Mr. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether there have been any conflicts since January, 1907, between armed bands and the police; and whether, having regard to the practically unrestricted traffic in firearms in various parts of the country, the authorities have adopted precautionary measures to cope with such conflicts.

Mr. BIRRELL: The police authorities inform me that since January, 1907, there have been three cases which appear in some degree to come within the terms ot the Question. On 14th July, 1907, in county Clare, shots were fired from a wood at two policemen and the man they were protecting; and the policeman returned the fire of the unseen assailants. On 15th August, 1907, in county Antrim, a party procession armed with swords and pikes attacked the police and afterwards fired shots at them from departing trains. On 28th August, 1907, in county Galway, several shots were fired into a house, and shortly afterwards a police patrol fired at an armed party who were believed to have been the perpetrators of the outrage. In none of these three cases was anyone injured. The authorities have no knowledge of any armed bands going about in Ireland.

Classification of Irish Crime.

Mr. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will compare the number of crimes throughout Ireland classified as agrarian and non-agrarian, respectively, under each of the headings firing at the person, and firing into dwellings, for the years 1878 to 1907, inclusive, and the period of nine months ended 30th September, 1908.

Mr. BIRRELL: I will furnish with to-night's votes a tabular statement giving the required information for the thirty years in question.

Gun Licence Duties in Ireland.

Mr. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether there has been an increase in the revenue derived from the issue of gun licences in Ireland during the past two years; if so, in what counties such increase has taken place; and whether the increase generally is commensurate with the increase in the number of firearms throughout the country at the present time as compared with 1906.

Mr. BIRRELL: The Inland Revenue authorities inform me that the revenue from gun licences in Ireland for the year ending 31st March last was £9,814 as compared with £9,543 in the preceding year, and £9,397 in the year before that. The increase in the last two years, however, is, I am informed, considerably below the average annual increase for the past ten years. The returns of the inland revenue authorities do not show the revenue from gun licences by counties. There is no means of arriving at a comparison between the number of firearms in the country now and in 1906.

The Irish Language.

Captain CRAIG (Down, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that efforts are being made to secure that a knowledge of the Irish language shall be a condition imposed on those desirous of matriculating at the new State-aided University in Dublin; and whether he will take the steps necessary to insure that no such restriction is brought into force.

Mr. BIRRELL: The Executive Government has no voice in the matter of determining what shall be the subject of the matriculation examination at either of the new Universities.

Compensation Awards at Gort Quarter Sessions.

Captain CRAIG: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state full particulars of, and the amounts granted on decrees for malicious injuries at the recent Gort quarter sessions.

Mr. BIRRELL: The following amounts were granted at these sessions as compensation for malicious injuries to property:—Walter Shaw Taylor, £5 15s. Michael Martin, £3 10s., Edward Martin, £8, and the Marquess of Clanricarde, £25. In addition £50 was awarded to Martin and Thomas McDonagh for injury to horses, and £31 10s. to Viscount Gough for injury to sheep by over-driving.

Riverstown Cattle Drive.

CAPTAIN CRAIG: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state full particulars of the cattle-drive which took place at Riverstown, county Sligo, early on Wednesday morning the 14th October last; were any revolver shots heard in the direction of Cooper's Hill on the occasion; were any arrests made; and what sentences have been passed on the perpetrators.

MR. BIRRELL: On the occasion in question twenty-three head of cattle were driven off two grazing farms near Riverstown. The police heard a shot in the direction of Cooper's Hill, and arrested three men on suspicion. The men were subsequently discharged for want of evidence.

Crime at Woodford.

CAPTAIN CRAIG: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that at the recent Gort quarter sessions Judge Anderson stated that the district of Woodford was in a most lawless condition and that the King's writ did not run; and what steps he proposes to take.

MR. BIRRELL: I would refer the hon. Member to the reply which I gave yesterday to the Question on this subject which was put by the hon. Member for Mid Armagh.

Keragie Outrage.

MR. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the police have received intelligence of a horse having been stabbed to death while grazing on a farm at Keragie, county Longford; whether he is aware that this is the third animal belonging to the same owner which has been stabbed since July; and whether in any case anyone has been made criminally amenable.

MR. BIRRELL: The police have not received intelligence of any horse having been stabbed in the county of Longford since last July.

Ballybofey Evicted Tenant.

MR. C. MACVEIGH (Donegal, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state what the Estate Commissioners have done in the case of John M'Monagle, who was evicted from his farm situated on the estate of Colonel Lyle, Ballybofey, county Donegal, and applied for reinstatement some time ago without success; whether he is aware that a solicitor afterwards swore an affidavit setting out the facts, and asked for a reconsideration of the case, and will he say if it was reconsidered, and with what result, and, if his application was rejected, why; and whether the Estates Commissioners will take steps to have M'Monagle reinstated before they sanction the sale of Colonel Lyle's estate.

MR. BIRRELL: The Estates Commissioners received from the person named an application for reinstatement in a farm from which his cousin had been evicted, and after due inquiry decided to take no action in the matter. Subsequently, the applicant's solicitor submitted an affidavit and asked for reconsideration. The Commissioners thereupon fully reconsidered the case and decided to adhere to their ruling.

Unemployment in Ireland.

MR. MOONEY (Newry): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Irish Local Government Board have taken any steps to find out the number of unemployed in Ireland at the present time, or have taken any steps for the efficient distribution of such portion of the unemployed grant as Ireland may be entitled to; and, if no steps have been taken, will he issue instructions to the Local Government Board to take action forthwith.

MR. BIRRELL: When the Local Government Board of Ireland receive representations from distress committees that there is abnormal lack of employment in any locality, the Board adopt every means in their power to ascertain the facts. Every application for a grant is dealt with on its merits and with due regard to the relative necessities of the districts in which there is abnormal distress from want of employment. I think it desirable to make it clear that the grant for unemployed workmen is not intended to be applied towards the relief of the ordinary distress arising from poverty, which is properly provided for by means of the Poor Law. I understand that the object of the grant is to provide employment in those districts in which, owing to severe trade depression temporarily affecting local industries, the able-bodied working-men have found themselves suddenly deprived, wholly or in part, of their usual means of earning a livelihood.

Mr. MOONEY inquired if the Irish Local Government Board would follow the example of the English Local Government Board in making grants to distressed districts?

Mr. BIRRELL: I think the Irish Local Government Board is an example to the English Board.

Mr. PATRICK O'BRIEN (Kilkenny): What sort?

In reply to Mr. NANNETTI (Dublin, College Green),

Mr. BIRRELL said a grant would be made to Dublin almost immediately.

Mr. JOYCE (Limerick) asked if it was not the fact that when Irish local authorities applied for loans they were refused? Could not the right hon. Gentleman bring pressure to bear on the Treasury to grant them?

Mr. BIRRELL: I am anxious to sanction all loans that can possibly be sanctioned for the relief of distress.

Theft of Cattle in Ireland.

Mr. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to the case at Ennis quarter sessions in which Michael Hogan obtained a decree of £40 for six head of cattle which were driven from his land on 1st September, and never recovered; and whether now that cattle are being stolen as well as driven, he intends to take sterner measures of repression commensurate with the gravity of the offence.

Mr. BIRRELL: I am aware of the facts of this case. The six cattle appear to have been stolen, but by whom the police have not been able to discover. I understand that thefts of cattle sometimes occur in Ireland as elsewhere, quite apart from any agrarian agitation, and the thieves are prosecuted if discovered. In this case, the police have used, and are using, every effort to discover the offenders and to trace the cattle.

Irish Intermediate Board and the Gaelic League.

Mr. BOLAND (Kerry, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland what decision has been arrived at by the Irish Intermediate Board with reference to the resolution submitted for their consideration by the Gaelic League as to the literary courses; and can he state what decision has been arrived at in respect of the rules dealing with exhibitions and prizes.

Mr. BIRRELL: The Board of Intermediate Education have had the resolution under consideration. They are of opinion that Rule 49 does not bear the construction placed on it by the Education Committee of the Gaelic League, and consequently that the Rule will not operate to the detriment of students taking Irish, as the Committee appear to anticipate.

Irish Intermediate Education Board Rules.

Mr. BOLAND: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that, owing to the suspension of the eleven o'clock rule in the month of July last, it was not possible for hon. Members interested in the new rules formulated by the Irish Intermediate Board to take exception to any or all of them; whether he is aware that strong representations were made to him personally on the subject by members of the Irish party, and that the actual printing of the rules was moved for and secured by the hon. Member for South Kerry; and whether, in order to prevent a repetition of these delays, he will take steps to ensure that new rules shall be laid before Parliament before the end of May in each year, and printed immediately.

Mr. BIRRELL: I agree that it is desirable that the rules of the Intermediate Education Board should be laid on the Table as early as possible, and I will consult with the Board as to whether the rules for the ensuing year cannot be presented to Parliament before the end of May in each year. It is, of course, open to any hon. Member to move for a printing order in such case, but I have no objection to move myself for the printing order when the proper time arrives next year.

MR. BOLAND: Were not strong representations made to the right hon. Gentleman on the subject?

MR. BIRRELL: If strong representations were made to me personally I am not aware of the fact.

Irish Land Purchase Bonus.

MR. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware of any intention on the part of the Treasury to revise the percentage of the bonus payable under Clause 48 of The Irish Land Act, 1903.

MR. BIRRELL: I understand that my right hon. friend the Chancellor of the Exchequer will make a statement on this subject in reply to a Question addressed to the Prime Minister later on the Paper.

Monivea Outrage.

MR. CHARLES CRAIG: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that, on the night of 2nd October, the house of John Mahon, near Monivea, county Galway, was fired into, a gunshot having been fired through a window and two pistol shots fired through the door; whether any arrests have been made; and whether the Government will take any further steps than they have been taking to cope with these firing outrages.

MR. BIRRELL: It is the fact that the house of John Mahon was fired into on the night of the 2nd instant. No arrests have been made. Every precaution is taken by the police when there is reason to anticipate outrage.

Firearm Regulations in Ireland.

CAPTAIN CRAIG (Down, E.): I beg to ask the Prime Minister whether he is aware that it is necessary to be licensed in order to carry arms in England and Scotland, but no such restriction exists in Ireland since the dropping by the Government of the Peace Preservation Act; and whether, in view of the increase of outrages in Ireland in which firearms, including revolvers, are used, the Government will take immediate steps to restrict the free sale of such arms to irresponsible persons in Ireland.

MR. BIRRELL: The hon. and gallant Member is mistaken in supposing that there is any law as to licences for carrying arms which does not operate in Ireland equally with England and Scotland. The Government do not contemplate legislation differentiating Ireland from the rest of the United Kingdom in respect of the sale of arms.

Irish Telegraph Engineers.

MR. NANNETTI: I beg to ask the Postmaster-General whether the Southern Irish District is to be made the telegraphic training ground for Royal Engineers in place of the Southern District of England; if so, whether this would involve any, and, if so, what, changes in the *personnel* of the clerical staff of the Superintending Engineer's Office at Dublin; whether the cost of the change can be stated, and what the cost was of the transfers of the staffs from Cork and Belfast to Dublin in March, 1907; and is he aware that the opinion of the business community in Ireland is strongly antagonistic to the further additions to the military garrisons in that country to the displacement of its civil population.

MR. SYDNEY BUXTON: In the present altered conditions of telegraph and telephone work the Southern District of England is not the most suitable training ground for the Royal Engineers and the question of assigning to them a more suitable district, possibly the Southern District of Ireland, is under consideration. If the change is carried out, the present civilian clerical staff (numbering 19 in the Southern District of Ireland) will be replaced by Military Clerks, but of course the civilian clerks will be found employment in other districts. I have no estimate of the probable cost of the change, but it cannot amount to much. The cost of the removal of staff and goods in 1907 from Belfast and Cork amounted to about £600, but there will be considerable saving in the result.

MR. NANNETTI: Will the superseded clerks be found employment in Ireland, or will they be transferred to England? Is it the policy of the Department to let military men take the places of Civil servants in Ireland?

MR. SYDNEY BUXTON: To the last Question I can give an emphatic negative. Efforts will certainly be made to find employment for the clerks in Ireland.

Irish Home Rule.

CAPTAIN CRAIG: I beg to ask the Prime Minister whether it is the Government's intention to introduce a Home Rule Bill next session.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. ASQUITH, Fifeshire, E.): I have no statement to make at present with regard to legislation for next session.

Licence Duties.

MR. HART-DAVIES (Hackney, N.): I beg to ask the Prime Minister, whether the provisions of the Licensing Bill will prevent any revision of the existing licence duties until such time as the State resumes the monopoly value of licences.

MR. ASQUITH: No, Sir.

Ecclesiastical Discipline.

SIR G. KEKEWICH (Exeter): I beg to ask the Prime Minister what progress has been by the Convocations of Canterbury and York in their consideration of the Letters of Business addressed to them after the Report of the Royal Commission on Ecclesiastical Discipline; and whether he will take steps to expedite their proceedings by the imposition of a time limit or otherwise.

MR. ASQUITH: I am informed that after general consideration of the Royal Letters of Business at their sessions of November, 1906, the Convocations of Canterbury and York appointed Committees in both their Upper and Lower Houses, to consider "the nature of the reply to be given to the Royal Letters of Business." These Committees have been since that date engaged in a very thorough investigation of the different branches of the subject, and have presented certain Reports to the Convocations in the course of last year. In the Convocation of Canterbury a Committee of Bishops appointed to draft a historical memorandum, presented in February, 1908, to the Upper House a Report dealing with the Ornaments of the Church and its Ministers. A further Report from a Committee on the Rubrics of the Prayer Book generally will, it is understood, be presented next February. In the Convocation of York, Committees of both the Upper and Lower Houses presented Reports in May, 1908, for the consideration of the Convocation. I do not propose in these circumstances to take the steps suggested by my hon. friend.

THE POSTPONEMENT OF QUESTIONS.

MR. BELLAIRS (Lynn Regis) addressed to the Speaker a question affecting the rights of private Members. He said he had placed upon that day's Order Paper two Questions, and they had been postponed by the First Lord of the Admiralty. That morning he received a letter from the right hon. Gentleman asking him to postpone the Questions. He submitted that hon. Members might have an object in placing Questions on the Paper for a particular day, and that they ought not to be deprived of what was practically the only opportunity that private Members had of lording it over His Majesty's Ministers.

*MR. SPEAKER said he did not know what the exact circumstances were. The First Lord of the Admiralty was not present, and he would like to hear what, if anything, that right hon. Gentleman had to say before making a pronouncement in reply to the Question. The general rule was that an hon. Member who handed in a Question fixed his own time for asking it, and if the Minister to whom it was addressed had any reason for asking that it might be postponed he did so either by letter or verbally when the Question was called on. *Prima facie*, he should say that no Minister had a right to order a Question to be put off; that rested with the private Member who put down the Question.

MR. ESSEX (Gloucestershire, Cirencester) asked the Speaker whether, if a Question were on the Order Paper of the day, he would consult the hon. Member who had put it down, or refrain from calling it merely on the word of a Minister.

*Mr. SPEAKER said that if the hon. Member concerned stated that he wished to postpone the Question, of course it was deferred. If he received an intimation from a Minister that he had requested the hon. Member to postpone it, in order to save time he did not call on the hon. Member to put the Question.

BUSINESS OF THE HOUSE.

MR. WALTER LONG (Dublin, S.) asked as to next week's business.

MR. ASQUITH said the Licensing Bill would be taken at every sitting of the House next week.

SIR A. ACLAND-HOOD asked the Prime Minister whether it was intended to take the two London Electricity Supply Bills and the instruction on the London and District Electricity Supply Bill on Monday night; and, if so, whether he was aware that, in view of the guillotine Resolution on the Licensing Bill, the debates on those private Bills might last a long time—possibly all night and part of next day.

Mr. ASQUITH: The right hon. Gentleman is rather pessimistic. At any rate, we will make a beginning and see how we get on.

SELECTION (STANDING COMMITTEES).

Sir WILLIAM BRAMPTON GURDON reported from the Committee of Selection that they had added to Standing Committee A the following thirteen members (in respect of the Criminal Appeal (Amendment) [Lords] and of the White Phosphorus Matches Prohibition Bills): Mr. Rupert Guinness, Colonel Warde, Mr. Stanier, Mr. William Nicholson, Mr. Crossley, Dr. Rutherford, Mr. Owen Philipps, Mr. Alfred Mason, Mr. Edmund Lamb, Mr. John Thompson, Mr. Armstrong, Mr. Halpin, and Mr. Nolan.

Report to lie upon the Table.

NEW BILL.

UNEMPLOYED WORKMEN ACT (1905) AMENDMENT BILL.

"To amend the Unemployed Workmen Act, 1905," presented by Sir George M'Crae; supported by Mr. John Robertson, Mr. Sutherland, and Mr. Dundas White. To be read a second time upon Tuesday, 10th November, and to be printed. [Bill 365.]

LICENSING (EXPENSES).

Resolution reported:

"That it is expedient to authorise the payment, out of moneys provided by Parliament, of the Remuneration and Expenses of the Licensing Commission, in pursuance of any Act of the present Session to amend the Licensing Acts, 1828 to 1906."

Motion made, and Question proposed, "That this House doth agree with the Committee in the said Resolution."

*MR. G. D. FABER (York) said that his fundamental objection to the provision of salaries for the three Licensing Commissioners, viz., £1,200 for the Senior Commissioner, and £1,000 each for the two Junior Commissioners, was not disposed of by the fact that, under an Amendment put down by the Solicitor-General, these moneys would not be found out of the compensation fund, but out of moneys to be provided by Parliament, although it might lessen the degree of his objection. The Solicitor-General foreshadowed on the previous night that the point that would be taken would be that the Opposition had been saying that it was wicked and unfair that this money should be provided out of the compensation fund, and that now the Government had changed their front it did not lie with the Opposition to make any further objection. But if a footpad presented himself in the small hours of the morning, and said: "Your money or your life," because a man might pay his money to save his life, that did not mean that he any the less objected to the most unfair alternative presented to him. So in this Bill, because the Government presented the alternative that the salaries should not be found by the compensation fund, but out of moneys provided by Parliament, although they took less objection to the present alternative, still they had a fundamental objection to the whole matter.

*MR. SPEAKER: The proper course for the hon. Member would be to strike out Clause 14. The effect of negativing this Resolution, as I understand the hon. Member wishes to do, would only be to put the cost on the compensation fund.

*MR. G. D. FABER continuing, said he would prefer the lesser evil of the present proposal of the Government. On the broader question as to whether this was the time for saddling the country with a project of this kind, he would ask if the Treasury was so overflowing, or the liabilities of the country so small, that they could afford to throw away money here, there, and everywhere. Was not the task of the Chancellor of the Exchequer sufficiently difficult, with the revenue of the country falling by millions, with the liabilities of the country rising by millions, with the taxpayers up to their necks in taxation at present and when next Budget Day came, he should think, almost head over ears? Was this the time for putting forward burdens of this kind in the shape of salaries for Commissioners whom the country did not want? It might be argued on the other side that after all this was only a small matter. When the Prime Minister, in his speech introducing the measure, came to the point about the salaries of the Commissioners, he remarked that the moneys would come out of the compensation fund, and there were cheers on his side of the House, followed by ironical cheers from the Opposition, and then the Prime Minister, in deference perhaps to the ironical cheers, said that after all it would not be a large financial matter. It was, however, the last straw that broke the camel's back, and to make the mere answer, when a peccadillo had been committed, that it was only a little one, might be a sufficient answer for the purposes of debate, but, he did not think it was a sound one. The difficulties that presented themselves to the Government in the matter of finance were almost greater than they could bear. They were well aware, from the vivid sketch of the Chancellor of the Exchequer, of predatory beings prowling in the neighbourhood of hen-roosts, but he was not sure that when next Budget day arrived, the Chancellor would not find that the eggs in the hen-roost had become addled and that the hens had flown, and that the only birds that were left were the predatory or amatory cocks.

*MR. SPEAKER: The hon. Member is himself flying far from the subject.

*MR. G. D. FABER said he would descend from the language of the hen-roost as soon as he could. When the Chancellor found that the eggs were addled and the hens had gone, and came to put his hand on the place where he imagined good eggs lay, he would find nothing worth taking. The Government seemed to have a perfect passion for the establishment of Commissioners with large salaries. There was the case of the Small Holdings Commission for England, and exactly the same in the case of the Scottish Commission, both with high salaries and——

*MR. SPEAKER: The hon. Member is not entitled to discuss this question. This is after all a formal Resolution, and the only question for him to decide is whether he prefers that the salaries shall be paid out of the compensation fund or out of moneys provided by Parliament.

*MR. G. D. FABER said that if these salaries had to be inflicted either on the taxpayers or on the compensation fund, if it must be one way or the other, then he said, and said definitely, that the lesser of the two evils was that the taxpayers of the country should pay these salaries, and that they should not be put upon the back of a well-deserving class of the community, the licence-holders, who were already going to be smitten almost to extinction under the different clauses of the Government's Bill.

SIR F. BANBURY (City of London) said he desired to move an Amendment to add, at the end of the Resolution, the words "such expenses not to exceed £6,000 per annum."

*MR. SPEAKER: I have put the Question, "That this House doth agree with the Committee in the said Resolution," and no Amendment, therefore, is possible.

SIR F. BANBURY said that that would not prevent him from saying that they should not pass a Resolution of that kind, which committed them to an indefinite liability. That was to say, they would have to pay out of the funds of the nation such a sum as the Treasury might choose to set aside for the benefit of the expenses of the central trio in London. The actual salary to be paid to these three gentlemen had already been defined in the Resolution. He did not know who was in charge of the Bill that afternoon——

THE SOLICITOR-GENERAL (Sir S. EVANS, Glamorganshire, Mid.): It does not matter.

SIR F. BANBURY said it was a serious matter that an hon. Gentleman in charge of the Bill should say it did not matter. In the minds of true economists the voting of unlimited money did matter. He might be met by the statement that it would be impossible to put a definite sum in the Resolution, because it was not known what the expenses of the Commission would be, and his answer to that would be that the Government ought to know. He quite agreed that this particular cost should be put upon the taxpayer, but he thought the taxpayer should be safeguarded by the House of Commons; he had always understood that that was the first duty of the House of Commons. It used to be the old difference between King and Commons that the King wanted to spend the money and the Commons wanted to prevent him doing so, but the situation now seemed to be reversed. The most democratic House of Commons that the country had ever, unfortunately, seen was the House of Commons that, more than any other, considered the expenditure of money a small matter. Why should it not be possible to estimate what the cost would be? After all, the amount of the salaries having been determined, the remaining expenses would only be the cost of the offices and their administration, *i.e.*, the salaries of the clerks required to carry out the work. It did not seem to be a very large and serious matter. The Solicitor-General flattered him the other day by saying that if he (Sir F. Banbury) was one of these Commissioners he would have no difficulty in separating certain accounts. He thought, if the hon. and learned Gentleman had offered him the post, he would have had very little difficulty in finding out the expenses of the office. They saw before them an array of talent on the Treasury Bench. Was it conceivable that the one right hon. Gentleman and the two hon. Gentlemen on that Bench were not able, with all the resources they had behind them, to tell what the expense of a few clerks would be? He suspected that they were afraid the expenses would be much larger than the House had any anticipation of, that they knew that the central trio was going to be a sort of new Star Chamber, and that the expenses of it would be extremely high.

MR. JAMES HOPE (Sheffield, Central) said he desired to join in the appeal of the hon. Baronet that before they passed this Resolution authorising so large an expenditure they should have more information laid before them. He did not quite agree with the hon. Baronet that the office expenses would be limited to a few clerks' salaries. The amount of correspondence entailed would be enormous. There would be correspondence with every bench of licensing justices in the country. Then there might be questions of the revising of the schemes sent up by licensing justices, and numerous private persons and societies might appeal against those schemes, in so far as they were able to know of them, which was doubtful, and that would entail correspondence. Then there might arise questions of the jurisdiction of the Commissioners towards recalcitrant magistrates, which might involve a further and very considerable expenditure. For instance, they knew that the magistrates had to give full information as to their schemes and the conditions of licensing in their area. Supposing they refused to give that information, what means had the Commissioners of enforcing it? It might be by legal proceedings, which again would be very costly. Therefore he did not know that the estimate was altogether so simple as the hon. Baronet imagined. There were a number of contingent charges, and he thought they were entitled to ask the Under-Secretary for the Home Department to say, roughly, what he calculated the expenses of these Commissioners would be, because there was a great deal of certain expenditure, certain clerical expenses, and certain postal expenses, and a great deal of indefinite legal expense. Another consideration that occurred to him was how, in practice, these sums would appear in the Estimates of the year. Would a separate class of Estimates be created, and would it be possible to make quite sure that when that class was on they would appear first? Then, again, what Minister would answer for them in the House? Before they committed themselves to this expenditure they must know what means they would have of checking and revising it, and he suggested that they would vote this money with greater readiness if they knew that. A further consideration which occurred to him was as to whether it was necessary that this Commission should be paid at all. There were many men with the greatest knowledge of licensing questions, and he should have thought that one could get Commissioners who would undertake the duties without payment. He thought it would not be impossible to find a gentleman to fill the position of Commissioner, who would command the confidence of the House, and who would do the work unpaid. But if there was to be a body of Commissioners at all, the House should have an opportunity of revising and checking the payments, and it was not clear that such an opportunity would be afforded. He thought, too, that the House should know something more of the *personnel* of the Commission.

*Mr. SPEAKER: That question is not relevant. It can be raised in Committee on the Bill.

Mr. JAMES HOPE said he would put it in this way—that the House would more gladly accept the Resolution if they had greater assurance as to the *status* and description of the gentlemen the Government had in their mind.

Earl WINTERTON (Sussex, Horsham) desired to support the view of his hon. friend that this Resolution ought not to be passed without some further details from the Government. They all recognised that this was merely a formal Resolution, and that the details would be settled in other parts of the Bill; at the same time more information should be given. He thought that both sides of the House in future should oppose money Resolutions in which the actual details for which they were voted were not put down. They ought to object to the present Resolution also on the grounds of the Bill itself, because, although the probability was that a large sum of money was not intended to be spent on the expenses of the Commission, still the possibility was that the sum might be very much larger than the Government intended. The Commission to be appointed could not be described as a democratic body; it would be purely bureaucratic, and they knew that bureaucratic institutions had the habit of spending far more money than they ought, or than was intended. He appealed to distinguished Radicals, financial purists and economic experts below the gangway opposite to say whether they did not agree that it was not right that the House should pass a money Resolution in which the details did not appear. When he said that the expenses of this bureaucratic Commission were likely to grow out of proportion to their needs, he had in mind the education committees of the county councils, whose expenses had grown enormously, there being a multiplication of unnecessary letters and telegrams, accompanied by red tape. He would put it to the Solicitor-General whether he did not think that these bureaucratic Commissions had a tendency to spend money out of all proportion to the amount that it was intended by Parliament should be spent. The hon. and learned Gentleman had shown Members of the Opposition great courtesy and consideration during these debates, and he trusted he would give them some information, if only on the general ground that Resolutions like the present ought not to be passed without their hearing some details from the Government.

Sir S. EVANS said the particular question before the House was a very narrow one. It was whether the expenses of the Commissioners, whatever they might be, ought to be borne out of funds provided by Parliament, or whether they should be part of the compensation levy. The amount to be spent was not unlimited. First of all, the salaries of the Commissioners were restricted by the very terms of the clause, to which they would come later. There were certain maximum sums, and the amounts allowed to the chairman and other members of the Commission would not exceed those mentioned in the clause. With regard to the members of the office staff, before they were appointed they must be approved by the Secretary of State, and the remuneration to be given must be sanctioned by the Treasury. In addition to that, the whole of the salaries and the whole cost of the office would be a matter which could be discussed in the House of Commons on the Estimates. The Minister who would have to answer in the House for the proceedings of the Commission would be the Secretary of State for the Home Department, and Members would be in a position to make any criticism on the proceedings which took place in the office of the Commissioners. Whatever Government was in power, it would take care that the persons appointed were persons possessing the confidence of the House generally. If the hon. Member for Sheffield could suggest any suitable gentleman who would be willing to fill the office for a nominal sum, he had no doubt any suggestion coming from him would receive the gravest consideration of the Treasury.

MR. JAMES HOPE: Will the Commissioners be able to incur expenses?

SIR S. EVANS: I think so; yes.

MR. WALTER LONG (Dublin, S.) asked whether the Solicitor-General intended the House to understand that the payment of the salaries and expenses of the Commissioners was to appear as part of the Home Office Vote. If they followed the form of the Home Office Vote it was obvious it would be impossible on the Home Secretary's salary to discuss the action of the Commissioners who would be independent of the control of the Home Secretary. Therefore, he wished to know whether in future in the Home Office Vote there would be a separate heading under which would come the salaries of the Commissioners and their staff. [SIR S. EVANS was understood to indicate assent.] That, of course, made it clear that the conduct of the Commissioners would come under the review of Parliament. So far as concerned the question at issue, it was of course obvious that his hon. friends were in this position: if they successfully resisted the passage of the Resolution then the payment of the salaries and expenses would have to come out of the levy—a course which they undoubtedly did not desire. On the other hand, he thought his hon. friends were justified in calling attention to the questions which they had raised. The Government were unnecessarily creating a new body of officials to do work which could have been done in almost the same time without their appointment. The Government and their supporters had cried "economy" while in opposition, but since they had come into office they had indulged in extravagance which was altogether unjustifiable, and the extravagance was not less on this occasion, because the sum involved happened to be comparatively small. His hon. friends could only make a protest, but if they were to enforce it by a vote they would be rightly exposed to the charge that, whatever their intentions might be, the result of their division, if successful, would be to cast an additional burden upon the levy. He strongly advised his hon. friends not to press the Motion to a division, but simply to protest against this addition to the public expenditure, which they believed to be the worst form of extravagance, namely, spending public money without any just cause or reason.

*MR. BARNARD (Kidderminster) said the right hon. Gentleman who had just spoken had elicited from the Solicitor-General what he wanted to know, namely, that these Commissioners would be responsible to Parliament. It seemed to him that there was no reason whatever for opposing this Motion, because the Opposition, if successful, would be more in the interests of the supporters of the Bill than of its opponents. To his mind, the temperance party would be the more likely to object, because if the Motion was not passed, the charge would come upon the levy. For his part, he gladly welcomed the Government's putting this charge upon the Exchequer, and he thought it was a step in the right direction.

MR. AUSTEN CHAMBERLAIN (Worcestershire, E.) said the Solicitor-General would doubtless bear in mind that it was the exception to put a Commission of this class into the Home Office Vote, and it was only fair to remind the hon. and learned Gentleman that there was a separate vote for Special Commissions, in which, under ordinary circumstances, this one would appear. He presumed the hon. and learned Gentleman was satisfied that he could put this Commission in the Home Office Vote.

SIR S. EVANS said that Special Commissions and Royal Commissions came under a separate Vote, but he was advised that as this Licensing Commission might be regarded as permanent, at least for fourteen years, there would be no difficulty in putting it into the Home Office Vote in the same way as the Prisons Commission was dealt with.

SIR HENRY CRAIK (Glasgow and Aberdeen Universities) said that this new fangled system of officialism which had taken the place of common law had been adopted to a much greater extent by the present Government than by any of its predecessors. As to what the expenses were likely to be they had a valuable lesson in the working of the Crofters Commission in Scotland. It had been stated that the crofters cases had been settled at an average cost of 1s. 6d. per case. That statement caused great astonishment to those who knew that the cost of the Crofters Commission was vastly greater than that, and it turned out when an explanation was offered, that all the Prime Minister meant was that the legal cost, so far as the Courts of law were concerned, was 1s. 6d. a case. What had been the expenses of the Crofters Commission, which was analogous to the body they were now setting up?

*MR. SPEAKER: The illustration seems to be very remote from the matter now before the House.

SIR HENRY CRAIK said he only mentioned it to show how much larger than the estimate the cost of a Commission generally was. The cost of the Commission instead of being 1s. 6d. a case turned out to be over £4 for each case. From that example they might see what was likely to be the cost of the Commission established under this Bill.

VISCOUNT CASTLEREAGH (Maidstone) said it appeared to him they were getting in this discussion hardly adequate information from the Government. It appeared to be setting up an entirely nebulous body which was almost unprecedented, and he did not think it would come under Parliamentary control. He would like a little more information, but the hon. Gentleman appeared to know very little about it himself. Perhaps his colleagues knew a little more. It appeared to be a characteristic of the Bill that there were details in it which members of the Government knew nothing whatever about. They were endeavouring to find out what was in the Bill and what it was brought in for, but the Government could not enlighten them.

Question put, and agreed to.

LICENSING BILL.

Considered in Committee.

(In the Committee.)

[MR. EMMOTT (Oldham) in the Chair.]

Clause 14:

*MR. G. D. FABER, in moving to omit subsection (1), said the particular objection he took to the clause was that neither the chairman nor the two other Commissioners were required at all, and that it was wilfully imposing upon the already much overburdened resources of this country a serious sum of money to effect no useful object. To show that that criticism was well warranted he only had to turn to the Act passed in 1904, under which the compensation fund was set up and the extinction of licences was provided for, and the cost of the working of that Act was not one farthing to the country. The licensing justices and Quarter Sessions did the work of that Act.

*THE CHAIRMAN: If the hon. Member is moving to omit subsection (1), I do not see that his observations have any connection with the subsection, which merely states that the Licensing Commission shall consist of so-and-so.

*MR. G. D. FABER said he was arguing that no Commission was required. Unless the Act of 1904 had been ruthlessly upset there would be no necessity for any Commissioners.

*THE CHAIRMAN: That, again, is not in order. We have already got the Licensing Commission in the Bill. All this does is to say it shall consist of so-and-so.

*MR. G. D. FABER: The appointment of these Commissioners and the salaries to be paid to them, in view of all the circumstances of the case——

*THE CHAIRMAN: I am very sorry again to interrupt, but the salaries do not come in subsection (1).

MR. AUSTEN CHAMBERLAIN (Worcestershire, E.) called attention to the description of the clauses printed on the margin of the Bill. Clause 12, where the Licensing Commission was previously mentioned, came under the heading "Financial Provision," and was entitled "Payment of Compensation by Licensing Commissioners," and that was the subject which was debated on that clause. They could not, and did not, debate on it the real question of whether a Licensing Commission was required at all. He submitted that this was the first place where they really had an opportunity of discussing the question whether a Licensing Commission was required.

*THE CHAIRMAN: The Licensing Commission is mentioned in many clauses already. There must be a Licensing Commission. We are dealing only with subsection (1). It is not a question whether the clause stand part. It is a question of whom the Licensing Commission shall consist.

MR. BONAR LAW (Camberwell, Dulwich): May I press the point further? This is the first opportunity we have had of discussing whether or not a Commission is necessary. The fact that certain things are to be done by a Commission has been mentioned incidentally, but this is the first time that the question whether or not a Commission is necessary has been or could have been raised.

*THE UNDER-SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. HERBERT SAMUEL, Yorkshire, Cleveland): Is it not the case that yesterday on Clause 12 we discussed very fully the necessity of having a Licensing Commission as a consequence of the arrangement made for the statutory reduction in Clause 1? The Leader of the Opposition and I, among others, referred to it also.

*THE CHAIRMAN: If hon. Members desire to discuss the question whether there shall be a Licensing Commission or not they must do it having regard to what is already in the Bill. I called the hon. Member to order because he was transgressing in that respect.

*MR. G. D. FABER said he cheerfully accepted the Chairman's ruling, though it would lessen the number of his observations. Objecting as he did to the Commissioners altogether, he could only say that if there had to be any Commissioners he would minimise the evil and have as few as possible.

MR. BONAR LAW said that if the Chairman had finally settled it he would not say any more, but he would like to submit that it seemed to them that his ruling ought to be reconsidered. As he understood it it amounted to this, that the fact that the Licensing Commission had been incidentally mentioned previously in the Bill prevented their discussing a clause which was specially headed "Appointment of Licensing Commission." It would be a very strong measure to prevent the whole subject of whether or not a Commission was necessary being raised under the clause, and if it was to be raised under the clause, the natural way to do it was on this subsection which was the only one specially appointing the Commission.

SIR S. EVANS submitted that the clauses which had already dealt with the Commission had dealt with it not incidentally but had actually imposed heavy duties on it—Clauses 1, 2, 6, 8, 9, 12 and 13. The only question was the constitution of the body and the fact of its being appointed by His Majesty.

SIR F. BANBURY asked if the whole question could not be raised on the Motion "That Clause 14 stand part of the Bill."

*THE CHAIRMAN: That is my ruling. With regard to the point raised by the hon. and learned Member for Dulwich I think my ruling has been misunderstood. I cannot shut my eyes to what is in the Bill, and subsection (1) deals only with the composition of the Licensing Commission. We must have regard to what is already in the Bill.

MR. BONAR LAW said that as a discussion would be permitted on the clause he did not press the point.

MR. AUSTEN CHAMBERLAIN said he did not altogether agree with the view put forward by his hon. friend behind him. If there was to be a Commission of this kind entrusted with powers so vast, whether regarded from the point of view of the public generally or of the individual whose interests were materially involved, he would be very sorry to see the Commission composed of a single dictator. Much as he deprecated the appointment of three Commissioners he would still more deprecate the appointment of a single person to exercise all this power. Who were these three Commissioners to be? Most extensive and unheard of powers had been conferred upon them. The licensing justices in every area were subject to their control and approval, and every scheme adopted came under the review of this body and had to satisfy them before it could be put into force. If the Commissioners did not approve of a scheme they could send it back to the magistrates for revision, and if the magistrates were in default then the Commissioners could prepare their own scheme. The licensing justices were quite an unnecessary wheel in the Government coach. These Commissioners had powers of practically unlimited taxation upon a certain class of the community. It was rather a large order for the House of Commons to part with its taxation power to a Commission of three, but to ask them to part with it in favour of an unknown Commission, of whose qualifications they knew nothing, was asking them to go a great deal too far. The time had arrived when the Committee ought to be taken into the confidence of the Government, and they should be informed who the Commissioners were to be. He could cite eloquent appeals made by hon. Members opposite when in opposition, urging the Government to disclose the names of the gentlemen who were to constitute certain Commissions. They had a right before parting with this subsection to know who the three gentlemen were to whom these enormous powers were going to be given.

SIR S. EVANS said it was not advisable to restrict the number of the Commissioners to one, and on this point he welcomed the support of the right hon. Gentleman the Member for East Worcestershire. The Commissioners would have to give their consent to new licences, they had power to modify schemes, to control the reduction of licences in Wales beyond the statutory reduction, to deal with optional reduction, and many other subsidiary powers. Those were very extensive powers, and he only mentioned them to show that one could not possibly do the work. He did not think it was the practice where Commissioners were appointed—it certainly was not the invariable practice—to name the Commissioners. Where they had been named it was not the rule but the exception. In the case of the University Commissioners for Ireland the names were not inserted or mentioned until the Bill had gone to another place. He was not in a position to state the names in this case, and he did not know that anybody else was. No doubt the Prime Minister would take into consideration the appeals which had been made by the right hon. Gentleman, and, if during the subsequent stages of the Bill it was thought to be in the public interest that the names of the Commissioners should be disclosed, no doubt they would be given to the Committee. Meantime he urged the Committee to adhere to the usual practice.

MR. WALTER LONG (Dublin, S.) said that in the case of the precedent quoted by the Solicitor-General an assurance was given that the names of the Commissioners would be given before Parliament parted with the Bill. In the case of the Local Government Bill of 1888 not only were the names inserted, but he was inclined to think that the hon. and learned Gentleman opposite took an extremely active part in impressing upon the Government that it would be a monstrous thing to appoint Commissioners without letting Parliament know who they were. He thought the Solicitor-General had, with his usual courtesy, tried to meet them. They had not, however, received any promise that the names would be disclosed, and yet they were asked to part with this subsection merely with an assurance that the matter would be brought to the notice of the Prime Minister. He thought that was most unsatisfactory. One of the reasons why it had been held that a Cabinet Minister ought always to be present on the Treasury Bench was in order that when a definite question of this kind was put a statement could be made on behalf of the Government. This was not a question of trusting the Government or accepting the assurances of the Solicitor-General. They were prepared to trust the Government—within very narrow limits—and they accepted the Solicitor-General's assurance because they knew he would carry it out in the letter and in the spirit. It was not a question of the good faith of the Solicitor-General. Apart from this subsection the Committee would probably never have an opportunity of debating the question again until the Report stage, and they would not be able to elicit any further information. His right hon. friend the Member for East Worcestershire had pointed out that this Commission was to be placed in an extraordinary position. It would be able to override local opinion and the local authority, and to dominate practically the whole of the country in regard to licences. If the Solicitor-General was unable to give the names now, he should be in a position to state when they would be given.

*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, W.) said the suggestion of the right hon. Gentleman was perfectly reasonable. It had been the practice on the Report stage of a Bill to give the names. He could assure hon. Members that the names would be given before the Bill left the House.

SIR F. BANBURY said he did not believe that three Commissioners would be sufficient for the work to be placed upon them. The Solicitor-General had stated that in his opinion three was the right number. He himself admitted quite frankly that he did not believe in any very large body. He believed that the smaller the body the better the deliberations, but when they were putting into the hands of the Commission these enormous powers the number should be larger. It should be remembered that the three Commissioners would not be always able to be present. If one of the Commissioners was absent through illness, two would have to go on with the business. He thought that too few. The Commission should have consisted of a chairman, a deputy-chairman, and two Commissioners. In that way they would have had a better tribunal, and one which would have more commanded the confidence of the people. The Solicitor-General had said that he would report to the Prime Minister the request which had been made, and he did not question the courtesy of the hon. and learned Gentleman. If when the hon. and learned Gentleman was in opposition, the Solicitor-General of the day had said he would report to the Prime Minister what would he have done? The Prime Minister was not in the House yesterday, and he was not present now, though this was the right hon. Gentleman's Bill. One of the greatest attacks made on the Leader of the Opposition when he was Prime Minister was that he was not in the House when he ought to have been there. They were deprived of the presence of the Prime Minister in these debates because he was away attending bazaars and other places of amusement, and that placed the Committee at a great disadvantage. In similar circumstances the Solicitor-General when in opposition would have moved the adjournment of the debate. He asked the hon. and learned Gentleman to request the Prime Minister to be present occasionally at the debates.

MR. LANE-FOX (Yorkshire, W.R., Barkston Ash) said he would not have risen but for the remark of the Solicitor-General that there had been no opinion expressed on that side of the House that the number of Commissioners ought to be increased. He did not know the Government estimate of the work to be done by the Commissioners. The Committee had now heard what they were to do, and he believed that if three archangels from Heaven were appointed they would not be able to get through the work satisfactorily. They had to consider the schemes, and that would involve an immense amount of work. The Commissioners, he supposed, would sit in London. If anyone wished to appeal to them, would he have to come up to London ? Were trains to be filled with deputations ?

THE CHAIRMAN : I think this is getting rather wide.

MR. LANE-FOX said it was absolutely impossible for three men to do the work which was to be placed upon them, and the Government would inevitably have to increase the size of the Commission. If the Commissioners were to sit in London, people from far and near would have to come up to London, and there would be a great deal of absolutely unnecessary expense involved. He hoped for these reasons the Government would not say that there was no opinion on that side that the Commission was not exactly the size it should be.

MR. GOULDING (Worcester) said the Government had shown consideration for the views expressed on that side by promising to give the names of the Commissioners. He thought three Commissioners would be inadequate. In view of the numerous duties of a far-reaching character which they were to be asked to perform it would be impossible for three Commissioners to do the work satisfactorily. It was proposed that any two gentlemen could proceed with business in the case of the illness of the third. The Commissioners would have to deal with such questions as local veto in Wales, whether the justices were overriding the needs of particular localities, whether schemes were applicable or not, and such work would require that they, if they were to carry the country with them in their decisions, should personally visit the spot and make themselves acquainted with the circumstances of the place. Those who had listened to the debates knew that there was extreme diversity of opinion as to what were the requirements of particular districts. In one case the Commissioners would require to put in the knife severely, while in other cases it would be unwise for them to use the knife at all. Did the Solicitor-General suppose that the Commissioners sitting in London could make themselves adequately acquainted with the conditions in the different localities without visiting them and knowing all the circumstances ? How could the Commissioners become conversant with the local requirements unless a sufficient number of them were let loose from headquarters to visit the localities ? The duties were far too responsible to be delegated to any individual whose appointment was not sanctioned by Parliament where the manner in which the duties were performed could be brought up for discussion. The Water Board was a mere pigmy undertaking compared with the Licensing Commission. Before the Water Board got to work practically all the details of the purchase had been settled in the Committee-room. In this case the Commission would have to deal with considerable differences of opinion as to the needs of localities. They would have to consider the views put forward by prohibitionists, and on the other hand by people who wished to get reasonable refreshment in their localities. It was absolutely farcical to say that justice would be got unless the Commissioners were multiplied considerably. He was not one of those who wished to make additions to permanent officials, but there were cases in which one had to waive his opinions in the interest of justice. When questions in connection with the taking of other people's property were involved there should be no cheeseparing. If the Government did not wish at the beginning of this work to raise a storm, they should show that they were going to meet the susceptibilities of localities by providing a sufficient number of Commissioners.

MR. G. A. HARDY (Suffolk, Stowmarket) asked whether it would be possible to appoint a brewer as one of the Commissioners. That was a question which had been asked outside the House. Whether such action would be wise was a matter on which there would naturally be difference of opinion, but there seemed to be a feeling in some quarters that they should not, if he might use the term, spot bar people interested in the trade from being Commissioners.

MR. H. H. MARKS (Kent, Thanet) trusted that the Committee would bear in mind for a moment the extent of the burden and responsibility that was to devolve upon the Commissioners. Their duty was not to prepare schemes in the first instance, but to receive schemes and pass their judgment upon them, to revise them if they required to be revised, and in addition to prepare schemes where the justices failed to prepare them. In other words the Commissioners were practically to supersede the justices throughout the country. The three gentlemen proposed in this section of the clause were to take upon themselves the work now discharged by between 8,000 and 10,000 justices from one end of the country to the other. Making all allowances for the difference in value between amateur and casual labour on the one hand, and professional, skilled, and highly paid labour on the other, he ventured to think that these three gentlemen would have their hands more than full. In addition to revising and preparing schemes they would have to deal with the compensation fund now dealt with by the Quarter Sessions throughout the country. And it had to be borne in mind that in connection with the schemes as well as the administration of the compensation fund it would frequently be impossible for them to be in London. They would be ignorant of local conditions, which counted for a good deal in these matters; they would have to go great distances from London neglecting interests here while looking after interests elsewhere. Nothing had been advanced from the other side which met the objection that these Commissioners in numbers—they had yet to speak of their qualifications—would not be in any sense competent to discharge the very important work that would devolve upon them.

MR. JAMES HOPE asked whether the names of the Commissioners would be put in the Bill on Report or merely be announced at the beginning of the Report stage through the ordinary channels.

*MR. GLADSTONE said they would be announced before the end of Report stage.

*MR. REMNANT (Finsbury, Holborn) said that on the previous day an Amendment was moved from those benches that all schemes should be submitted to the Commission, and he did not see how they could go back from that on which they had divided, and argue that all the new schemes should not be submitted to this Commission. That would entail an enormous amount of work upon the Commission—work which would require not only great skill but adequate local knowledge—and that could not be acquired by three gentlemen sitting in London. It would involve their going to the different localities, [to examine them for themselves, and see on the spot the conditions that prevailed. Even if the Government would not make a permanent increase of the Commission, he appealed to them that for the first two or three years they should allow an extra Commissioner to be appointed. Three, with the possibility of one, if not two, being ill, was an inadequate number in the first instance. He hoped that the Government would see that the present provision was deficient and that they would prevent as far as they could any possibility of a breakdown when the Bill was brought into operation. In 1904 the present Government then in opposition met the proposal of the then Government to refer these questions to Quarter Sessions, by saying that Quarter Sessions were not in as close touch with local conditions as the local justices. How then could they now say that the proposed Commissioners would have the knowledge indispensable in dealing with licensing questions unless they went down to the localities? Much had been said about the anxiety with which the hon. and learned Gentleman had met the proposals made from the Opposition side of the House. He had accepted one Amendment—subject to approval afterwards. He appealed to him to accept a second Amendment and to increase the number of the Commissioners.

Earl WINTERTON said he did not quite understand whether the right hon. Gentleman the Home Secretary in answer to the hon. Member for Sheffield gave an actual undertaking that the names of the Commissioners would be published before the Report stage.

Mr. GLADSTONE: Yes.

Earl WINTERTON hoped that due care would be taken in the selection of these gentlemen, for after the constant jeers and slurs that they had heard from the other side against the licensed trade and brewers and publicans, they must not suppose that the Government would appoint fanatical teetotallers without serious objection from that side of the House. He hoped the Government would avoid future trouble by being very careful in selecting the Licensing Commissioners.

Sir S. EVANS said he was satisfied of the genuineness of the desire of hon. Gentlemen opposite to increase the number of the Commissioners immediately they found that their remuneration was not to come out of the compensation fund but out of the Imperial Treasury. The duties devolving on the Commission were very important, but nevertheless he thought they would be duties the Commissioners would be able to perform with the assistance they would have, because they would have power with the approval of the Secretary of State to appoint or employ such number of officers and assistants as they might think necessary for the purpose. They would be the supreme authority. Let him give some instances of how that worked out in our constitution. The work they would have to do would be nothing like the work which devolved upon his right hon. friend the Home Secretary or the President of the Local Government Board. The right hon. Gentleman opposite had been at the head of the Local Government Board. He did not know whether the Archbishop of Canterbury had been a member of that Board or merely a member of the Board of Trade. Everybody knew that the head of the Department was the person ultimately responsible. What would follow was that such assistance as the Commissioners required would be given by the officers appointed with the approval of the Secretary of State. He had no doubt that the work would be satisfactorily done. The hon. Member for Holborn had asked him to accept an Amendment. He would be prepared to accept any reasonable Amendment, but there was no Amendment at all before the Committee to increase the number of Commissioners. He, however, could not accept any Amendment which would alter the number they had put in the Bill. He would be very sorry to take away the extreme pleasure which hon. Gentlemen opposite felt in referring to the Commission as the "trio."

Mr. WALTER LONG said that the Solicitor-General was generally so courteous that it went against their hearts to criticise his speeches. But the hon. and learned Gentleman must have been thinking of something else when making the speech to which they had just listened. He took as illustrations Government Departments, and he brought in the Archbishop of Canterbury; but the Archbishop could only sit in Council with the other members of the Board of Trade. The illustration bore no parallel whatever to the Licensing Commission. If the hon. and learned Gentleman wanted an analogy he would find it in the Land Commissioners under the Irish Land Act. That was the nearest approach that he could find to the proposal in the Bill. He challenged contradiction—he did not care from what quarter of the House, whether from the Irish Nationalist Party or the Unionist Party—when he said that everybody who knew anything of the administration of the Irish Land Act would admit that nine-tenths of the trouble that arose was due to the action not of the Land Commission itself but of the Assistant Commissioners. They were accused of being now on the side of the landlords and now on that of the tenants, and that led to an immense amount of trouble to the Chief Secretary, because it was always held that the Assistant Commissioners were not fit for their work. The Solicitor-General had let the cat out of the bag in saying that these Licensing Commissioners were to have power to appoint assistants. That was the evil of the whole thing. The Government pretended to give Parliamentary control over the Commissioners; they pretended that they were going to disclose to Parliament who the people would be who would discharge the onerous duties that would fall upon the Commission. But the work would be far too heavy for them, and they would have to appoint sub-commissioners to do the work. What happened in other public Departments? Inspectors were appointed to make inquiries, and on their recommendations the Department acted. The head of the Department only reserved to himself a general discretion of accepting or rejecting the recommendations. But the Licensing Commission was going to appoint inspectors over the heads of Petty Sessions and Quarter Sessions, presumably in direct opposition to the wishes of the locality, for the Commission would have the right to make reductions of licences even although the localities had expressed the opinion that no such reductions were necessary. And how was that to be done? The Assistant Commissioners must make their report to the Commissioners, of whom the Committee at present knew nothing. He objected to the whole thing. He objected to the Commission, which he thought was a scandalous waste of public money, because they could get all they wanted, and were getting all they wanted, under the Act of 1904 without any expenditure of public money at all. As he had said before, if the Government of the day were going to impose duties of a very responsible character upon individuals, they ought to see that they had a sufficient number of men to do the work and pay salaries which would secure the best men. The number of the Commissioners was insufficient for the work to be done, and the emolument was insufficient to secure the quality of men they ought to have. He thought the members of the Commission should be much higher in degree, and ought to be paid a much higher salary, in order that those who had to perform these duties should be the best class of men whom they could get for fourteen years. Nobody pretended they could get the best class of men for the salary which they were going to give. They were to have three Commissioners, but he wondered if the Government had gone through the country in divisions in order to see what the duties of these three men would be, which they should be able to discharge with fairness to everybody. It would, in his judgment, be impossible for them to do the work. A disclosure was made by the Solicitor-General that the work would be done by subordinates. [Cries of "No."] Then the hon. and learned Gentleman's whole speech fell to the ground if he did not mean that the work was to be done by subordinates, as it was under the Local Government Board, subject to the President. If he did not mean that, he meant nothing. His only analogy, or the nearest analogy he could get, was the Irish Land Commission, but he would find no consolation in any investigation he made into their work. He was not satisfied with the Commission, either in regard to its numbers or its constitution, and if the hon. Member divided against the subsection he should support him, because he believed that it was part of an unnecessary and unjust Bill. Moreover, the Government, in carrying on their policy, had been niggardly, and had placed an unduly heavy burden on the shoulders of these Commissioners, to whom they were not going to pay sufficient salaries. The consequence was that this work, affecting the rights of thousands of people in this country, was not likely to be carried out with the fairness and justice with which it ought to be performed.

*Mr. COURTHOPE (Sussex, Rye) asked whether the hon. and learned Solicitor-General or any other Member of the Government had considered the amount of initial work which these Commissioners would have to perform, because he imagined everyone would agree that there was one thing that could not be left to inspectors or subordinates, but which must be done, if it was to be done properly, by the Commissioners, viz., the consideration of the schemes for reduction from the different districts. The Commissioners would have to consider 993 schemes at the very beginning, and he wished to know how three men could get through that amount of work. It was essential that all these schemes should be properly considered and dealt with in the greatest detail, and the point which made it particularly important that the schemes should not be rushed through was the fact that there was no appeal. It was of the utmost importance that full consideration should be given to each scheme. If there was an appeal it would not matter so much, but as it was, it was imperative that the matter should not be hurried. He did not know how long the Commissioners might take for the initial consideration of these schemes, but if they gave them a whole year—and probably they would have to complete the initial work in a much shorter period—and assuming that they would have 250 working days, these three men would have to get through four schemes a day in order to get through all of them in a year. It was quite impossible that this work could be done, having regard to the magnitude of many of these schemes. There would be great boroughs submitting intricate schemes, any one of which would require days of consideration if the details were to be taken into account and a proper decision come to by the Commission. He hoped that the Home Secretary, whom he could not help thinking was more inclined to take these matters into serious account than some of his colleagues—he said it without wishing to give any offence to anyone, but some of these questions were dismissed very light-heartedly by some of the hon. Gentlemen on the Treasury Bench—might be able to hold out some hope that this Commission would be set up in such a way that they would be able to give due consideration to these 993 schemes. He trusted that there would be a sufficient number of Commissioners to allow for a quorum, so as to take into account the inevitable breaking down of health which this amount of work would bring upon them, and that all the necessary steps would be taken to secure the due performance of their onerous duties.

Sir F. BANBURY said the hon. and learned Gentleman opposite had remarked that he would leave his hon. friend who advocated four or five Commissioners instead of three, to deal with him as the apostle of economy. He was quite willing to accept the challenge of the hon. and learned Member, and if he would leave him to deal with it, he would convince his hon. friend that the Bill could be more economically carried on by five Commissioners than by the number named in it. With four or five Commissioners they would not want to have so many Assistant Commissioners, and with an increased number they would not only obtain increased efficiency, but save money. The hon. and learned Gentleman thus quite captiously, of course, taunted him with advocating increased expenditure, which was a thing he never did unless he thought they obtained increased efficiency. Under this extra expenditure he thought they would not only get increased expense, but increased efficiency.

*Mr. BARNARD thought it would be very much better if there were five Commissioners, rather than to employ subordinates. The Solicitor-General, in hastily going over the duties of the Commission, had he thought, passed over one which was to his mind perhaps the most important. There were, as the hon. Member had said, about 1,000 licensing districts, and undoubtedly there would be different views in the various districts, and on the different benches, taken of the modifications which, for good reasons or bad, they might think desirable to put forward, in the cases of places where there were a large number of visitors from time to time, and it was contemplated that they should not act upon the scale laid down in the Act. It was highly important that questions of that sort, which touched the root principle of the Bill, should be dealt with by the Commissioners themselves and not by subordinates. He personally thought that the Government might very well take into consideration the question of appointing five, as the proposal did not in any way attack the principle of their scheme, or the frame-work of their measure. The Bill would be much more satisfactory if the Amendment were adopted, for the reason among many others which he had mentioned.

VISCOUNT CASTLEREAGH thought there was great substance in the reasons which had been urged as to the desirability of appointing five Commissioners instead of three. It was obvious that under the Bill the work which would devolve upon these three Commissioners was of so onerous a character, that it was quite impossible that it could be carried out in an efficient or satisfactory manner with the present number. They had heard some vague allusions to sub-commissioners, but what sort of responsibility would they hold? Would their responsibility be that of the Chairman and two Commissioners, or would the sub-commissioners be on exactly the same position as to responsibility as those who were looked upon as being superior in position to themselves? He objected to the whole system of the Licensing Commission, as he thought they were setting up an entirely undemocratic body. The Commission appeared to be responsible to no one, and the nearest analogy to it that he could think of was the Star Chamber. He hoped that the number of the members of this Commission would be increased, and an attempt made to establish it on a more democratic basis.

MR. GLADSTONE said he rose to answer the appeal made to him by the hon. Member for Rye who seemed under some misapprehension that his colleagues did not take a serious view of this matter, but he was quite certain that they did. Of course, the Government had considered the question of whether the Commissioners would be competent to perform the work put upon them by the Bill, and he would point out that this was not really so formidable as it seemed. The hon. Member said that there were 993 schemes which would have to be prepared and examined by the Licensing Commission. That was true, but the chief work fell upon the licensing district and upon the licensing justices. They would have to consider in detail the proposals, and then they would in due course forward their schemes to the Commission. With regard, he ventured to say, to a large proportion of these schemes, the work of the Commission would be exceedingly light, as there was no reason to think that the common-sense of the local justices would not suffice for the submission of a scheme which was practical and of a common-sense nature. Therefore, a large number of these schemes would, in fact, give the Commission no difficulty at all. He agreed that certain schemes from the great boroughs and the big licensing districts would involve a large amount of work, but the House must remember that after all the detailed work, so to speak, with regard to all these schemes would be done locally, and so in fact the schemes would come to the Licensing Commission much in the same way as schemes and proposals came forward every day to the heads of big Government Departments, having been thoroughly sifted for final review and settlement. He thought hon. Members must realise how essential it must be for the local licensing justices to do all they could, and what a simple matter it would be for the Licensing Commission to survey a large number of these schemes. It seemed to him that the work of the Commission would not be nearly so arduous as the hon. Member thought.

MR. BONAR LAW thought the right hon. Gentleman had made an elementary error as to the work that had to be done. The Commissioners had to see that the provisions of the Bill were carried out. It was quite true that the preparation of the scheme lay first of all with the licensing authority, but the Commissioners had the power of over-riding the recommendations of the local authority. The original plans might be got from the licensing authorities, but the Commissioners who were responsible would themselves have to see that those plans were properly carried out, and to do that would have to make investigations to see if the schemes were satisfactory to themselves. The speech of the right hon. Gentleman had shown that he had not realised in the least the magnitude of the work that had to be done, which was another proof, of which there had been many, that the Government had not troubled themselves very much about this Bill. The Chancellor of the Exchequer was asked why it was the Inland Revenue Commissioners would not accept fourteen years purchase as a reasonable basis upon which to work. The answer of the right hon. Gentleman amounted to this: that the Inland Revenue would not take that basis because they did not think it was fair. The truth was they would not take it because they did not think there was a ghost of a chance of this Bill's ever becoming law.

*MR. TALBOT (Oxford University) agreed that this was not so easy a matter as the Home Secretary seemed to imagine. His many years experience of licensing law had convinced him that it was one of the most difficult of all the branches of magisterial procedure. When one remembered the extreme delicacy of many of these questions, how they had to reconcile the serious and reasonable demand for the reduction of licences with the equally reasonable objection to the extinction of the licence of this or that particular house, or the diminution of the provision of reasonable refreshment, the difficulties would be seen to be very great. All these things had to be taken into consideration, and the difficulties engendered by them in the minds of those who were engaged in this work were very serious indeed. The Government were making a great mistake in disregarding the voluntary service given in the past by those who knew the locality, its condition, and its requirements. If they were substituting a bureaucratic authority for a local authority let them at any rate see that the bureaucratic authority was equipped with the knowledge it required. It would be impossible for them to carry out the duty the Government placed upon them of reducing licences in accordance with the general opinion of the communities with which they dealt without much greater knowledge than they were likely to possess. Possibly it would be said that they would work on the reports of the local authorities. But could these three gentlemen be trusted? If they were men of strict impartiality of course they could, but had the House sufficient confidence in the Government to be sure that these three gentlemen would be strictly and absolutely impartial? If, like the Government, they had a strong bias one way, what would their conduct to the licensing justices be? Speaking from his own knowledge, he could assure hon. Members that in many parts of the country the licensing justices would undertake this task with very heavy and unwilling hearts. Some already thought they had done enough, or at least were advancing sufficiently in the reduction of licences. They were gradually reducing them year by year. But the Commission would say they were not going fast enough and must reduce them more rapidly. That would lead to confusion immediately, and the Commissioners and the local justices would come at once to loggerheads. He regretted that the Government had taken upon themselves this disastrous change in the licensing policy of the country. The Commission, if appointed, would have a heavy task. Let them not think it would be easy. If would be just as hard as the task placed on the education committees and others. They would have to appoint a whole army of assistant commissioners, and if this task was to be carried out with the least possible friction it must not be entered into with a light heart. It was a serious business, and would have to be carried out with full knowledge and after full consideration of the facts.

*MR. MONTAGU (Cambridgeshire, Chesterton) said it was not denied on the Ministerial side of the House that the work of the Commission would be fairly heavy. But it was contended that it would be mainly carried out by inspectors, etc., appointed by the Commission; who would be responsible to the Commission which in turn would be responsible to Parliament. If hon. Gentlemen opposite were in earnest in thinking the work could be done by the Commissioners themselves neither four nor five would be enough. A very large number would be required. But hon. Members opposite were not serious in their contentions that three Commissioners were not enough. He would prove this. It was shown by the fact that although the debate had continued for some time neither on the Paper nor in their speeches had hon. Gentlemen thought fit to suggest any addition to the number of Commissioners. That itself was a test of the seriousness of their contention. As to the impartiality of the Commissioners the House had some experience of Commissions appointed by the Government and it had never been suggested that any one of the Commissioners appointed or nominated was other than impartial. He instanced the Irish University Act, the Education Bill of 1906, the Small Holdings Act of last year. They were selected with every safeguard against partiality and he did not think the suggestion of the right hon. Member for Oxford or that of the right hon. Member for the Dublin University yesterday was worthy of the front Opposition bench.

MR. AUSTEN CHAMBERLAIN was not quite certain whether the colleagues of the hon. Member who had just sat down would welcome his intervention in the debate. The hon. Gentleman had challenged the sincerity of the contention of the Opposition on the ground that no Amendment had been put upon the Paper. The question was now being discussed. He did not know whether the Government desired that an Amendment should be put down in order that a discussion might be raised at a later period. The hon. Gentleman reflected on his right hon. friend for not placing implicit faith in the selection which the Government had made of the Commissioners to carry out the provisions of the Bill. When the hon. Gentleman had had some experience of sitting in Opposition as well as on the Ministerial side of the House he would find that no Opposition was prepared to place implicit confidence in the Government of the day. Hon. Members on the Opposition side of the House did not suggest that the Prime Minister was going to perpetrate a party job or do anything dishonourable or discreditable to himself. The justice of the claim of the Opposition was admitted by the Home Secretary who had promised to give the names of the Commissioners on the Report stage. They wanted a little information as to what was exactly meant by the Home Secretary's description of the work which the Commissioners would have to do. The right hon. Gentleman had argued that there would not be much trouble, because a great number of the cases would be in small districts where the schemes would be prepared by a few justices, and they would rarely have occasion to interfere with them or to examine them at all. In the case of big boroughs, however, they would have to go more closely into matters. Did the Home Secretary think that in small districts where there were few justices to decide upon the licences they were to have a free hand, but that in a great city with a larger licensing authority, and where the magistrates were not likely to be less competent or less interested in their duties, they were to have their schemes subjected to a meticulous examination by the Commissioners? If that were so, it was a disadvantage to the big towns and big licensing districts. It was to be presumed that the Commissioners must go into facts brought to their notice in order to ascertain that the intentions of Parliament were being carried out. An extreme teetotaller on the one side, or a person interested in the trade on the other, might represent to the Commissioners that the scheme was not in conformity with the law in one particular or another. Surely the Commissioners would be bound to investigate the circumstances to see whether or not the terms of the Act were being infringed. If they had to do that they would have to take the personal responsibility. It was quite true that they might send their officer down to look into the facts, but the responsibility rested with them of arriving at a decision, and they would have to go into the matter. He was sure that any suggestion that the work was practically to be done by the under officers without real and serious review by the Commissioners would be to introduce into the working of the Act the worst results that followed from bureaucratic government. Unless the Commissioners had time to give full consideration to the various schemes he did not think the work could be done either satisfactorily to themselves or in such a way as to carry out the wishes of Parliament.

*MR. GLADSTONE said the Government anticipated that the most difficult part of the work of the Commissioners in supervising these schemes would be in respect of modifications under Schedule I. Of course there were modifications which would apply to villages, but he did not suppose that anybody would consider it necessary that the Commissioners should personally go down to the villages in order to ascertain their population and whether two, three, or more public-houses were wanted. These facts would be assumed to be true on statistical information, and the Commissioners would have no trouble in the case of a particular village licence in merely ascertaining whether or not the proposal of the licensing justices was in conformity with the law. The case was very different in the big towns because there the problems were much more difficult, and would have to be considered more closely by the Commissioners. Therefore, as regarded a considerable number of the large boroughs and large licensing places, the duties of the Commissioners would be more arduous than in the smaller districts.

EARL WINTERTON said he did not think the Government were exactly grateful to the hon. Member for Cambridgeshire for his intervention in the debate. He had begun by throwing a lurid light on what the expenses of the Commissioners were to be. Apparently there was to be an army of inspectors and others who were to do the work of the Commission in the country, and that had been further emphasised by the right hon. Gentleman who had just spoken. He strongly protested against the refusal of the Government to give them more information on the subject of the Commission, and especially on the subject of inspectors and others who were to be employed by the Commission. He had looked through the Bill and failed to find the slightest reference to the army of inspectors. Apparently the hon. Member for Cambridgeshire was in the confidence of the Government, or at any rate he was closely connected with them, and this suggestion which he had thrown out was the suggestion of the Government. They had already voted a sum of money for the purposes of the Commissioners, and apparently they were to have no sort of information as to the number of inspectors who were to be employed or as to what the expense was to be. He thought they were entitled to make a strong protest against this absence of information, and it was a matter for regret that the Prime Minister did not find it possible to be present in the House while this important subject was being discussed.

Question put.

The Committee divided :—Ayes, 269; Noes, 79. (Division List No. 303.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Agar-Robartes, Hon. T. C. R.
Agnew, George William
Alden, Percy
Allen, Charles P. (Stroud)
Armitage, R.
Ashton, Thomas Gair
Astbury, John Meir
Baker, Joseph A. (Finsbury, E.)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Sir John E. (Somerset)
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Beale, W. P.
Beauchamp, E.
Beaumont, Hon. Hubert
Beck, A. Cecil
Bellairs, Carlyon
Bethell, Sir J. H. (Essex, Romf'rd
Birrell, Rt. Hon. Augustine
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brooke, Stopford
Bryce, J. Annan
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Charles
Cameron, Robert
Carr-Gomm, H. W.
Causton, Rt. Hn. Richard Knight
Cawley, Sir Frederick
Chance, Frederick William
Channing, Sir Francis Allston
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley

Collins, Stephen (Lambeth)
Collins,Sir Wm.J.(S.Pancras,W
Corbett,C H (Sussex,E.Grinst'd
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Crooks, William
Crossley, William J.
Curran, Peter Francis
Dalmeny, Lord
Davies, Timothy (Fulham)
Davies,Sir W.Howell(Bristol,S)
Dewar, Arthur (Edinburgh, S.)
Dickinson, W.H. (St.Pancras,N
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Donelan, Captain A.
Duckworth, James
Duncan,C. (Barrow-in-Furness)
Dunne,Major E.Martin(Walsall
Edwards, Enoch (Hanley)
Edwards, Sir Francis (Radnor)
Ellis, Rt. Hon. John Edward
Erskine, David C.
Essex, R. W.
Esslemont, George Birnie
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Fiennes, Hon. Eustace
Findlay, Alexander
Foster, Rt. Hon. Sir Walter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Furness, Sir Christopher
Gill, A. H.
Gladstone,Rt.Hn Herbert John
Glen-Coats, Sir T. (Renfrew,W.)
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Grant, Corrie
Greenwood, G. (Peterborough)
Gulland, John W.
Gurdon,Rt Hn.SirW.Brampton
Hall, Frederick
Harcourt,Rt.Hn.L.(Rossendale
Harcourt, Robert V.(Montrose)
Hardie,J.Keir(Merthyr Tydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey, W.E.(Derbyshire,N.E.
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hazel, Dr. A. E.
Hedges, A. Paget
Helme, Norval Watson
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon.,S.)
Higham, John Sharp
Hobhouse, Charles E. H.
Hodge, John
Holt, Richard Durning
Hope,W.Bateman(Somerset,N.
Horniman, Emslie John
Hudson, Walter
Hutton, Alfred Eddison
Jackson, R. S

Jacoby, Sir James Alfred
Jardine, Sir J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones,Sir D.Brynmor(Swansea
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D.
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Layland-Barratt, Sir Francis
Lehmann, R. C.
Lever, A. Levy (Essex,Harwich
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Rt. Hon. Thomas
Lundon, W.
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah (Down,S.)
M'Callum, John M.
M'Crae, Sir George
M'Laren, Sir C. B. (Leicester)
M'Laren, H. D. (Stafford, W.)
Mallet, Charles E.
Markham, Arthur Basil
Marks,G.Croydon (Launceston)
Marnham, F. J.
Massie, J.
Masterman, C. F. G.
Menzies, Walter
Micklem, Nathaniel
Money, L. G. Chiozza
Montagu, Hon. E. S.
Morgan, J. Lloyd (Carmarthen)
Morse, L. L.
Morton, Alpheus Cleophas
Murray,Cap.Hn.A.C.(Kincard)
Murray, James (Aberdeen, E.)
Myer, Horatio
Nicholson,Charles N.(Donc'str)
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Grady, J.
Parker, James (Halifax)
Partington, Oswald
Pearce, William (Limehouse)
Philipps,Col.Ivor (S'thampton
Philipps, Owen C.(Pembroke)
Pickersgill, Edward Hare
Pollard, Dr.
Price, C. E. (Edinb'gh, Central)
Pullar, Sir Robert
Radford, G. H.
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rees, J. D.
Rendall, Athelstan
Richards,Thomas (W.Monm'th
Richards, T.F. (Wolverh'mpt'n

Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts,Sir John H.(Denbighs)
Robertson,Sir G Scott(Bradf'rd
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rogers, F. E. Newman
Rose, Charles Day
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L.(Cleveland)
Samuel, S. M. (Whitechapel)
Schwann, C. Duncan (Hyde)
Schwann, Sir C.E.(Manchester)
Scott, A.H.(Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick,B.)
Sherwell, Arthur James
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Taylor, Theodore C. (Radcliffe)
Tennant,Sir Edward (Salisbury
Tennant, H. J. (Berwickshire)
Thomas, Sir A. (Glamorgan,E.)
Thomas,David Alfred(Merthyr)
Thompson, J.W.H.(Somerset,E
Thorne,G. R. (Wolverhampton)
Thorne, William (West Ham)
Tomkinson, James
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Ward, John (Stoke-upon-Trent
Wardle, George J.
Waring, Walter
Warner, Thomas Courtenay T.
Wason,Rt.Hn.E (Clackmannan
Wason,John Cathcart (Orkney)
Waterlow, D. S.
Weir, James Galloway
Whitbread, Howard
White, Sir George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
Whitley, John Henry (Halifax)
Whittaker,Rt Hn.SirThomas P
Wiles, Thomas
Williams Llewelyn(Carmarthen
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)

Wilson, J. H. (Middlesbrough)
Wilson, J.W. (Worcestersh. N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Wood, T. M'Kinnon
Yoxall, James Henry

Tellers for the Ayes—Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood,Rt.HnSirAlex.F.
Aubrey-Fletcher, Rt. Hn Sir H.
Baldwin, Stanley
Balfour,Rt.Hn.A.J.(CityLond.)
Bertram, Julius
Bignold, Sir Arthur
Bowles, G. Stewart
Carlile, E. Hildred
Castlereagh, Viscount
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Chamberlain,Rt Hn.J.A.(Worc
Clark, George Smith
Coates, Major E. F. (Lewisham)
Cochrane, Hon. Thos. H. A. E.
Collings, Rt.Hn.J.(Birmingh'm
Courthope, G. Loyd
Craik, Sir Henry
Dixon-Hartland,Sir FredDixon
Doughty, Sir George
Duncan,Robert (Lanark,Govan
Fardell, Sir T. George
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Goulding, Edward Alfred
Gretton, John
Guinness,Hon. R. (Haggerston)
Haddock, George B.
Hamilton, Marquess of
Hardy,Laurence (Kent,Ashf'rd
Hay, Hon. Claude George
Hill, Sir Clement
Hills, J. W.
Hope,James Fitzalan(Sheffield)
Kerry, Earl of
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Long, Col. CharlesW.(Evesham
Lonsdale, John Brownlee
Lowe, Sir Francis William
MacCaw, William J. MacGeagh
M'Arthur, Charles
Marks, H. H. (Kent)
Mildmay, Francis Bingham
Morpeth, Viscount
Nicholson, Wm.G. (Petersfield)
O'Brien, Patrick (Kilkenny)
Oddy, John James
Parkes, Ebenezer
Pease,HerbertPike(Darlington)
Percy, Earl
Powell, Sir Francis Sharp
Rasch, Sir Frederic Carne
Ratcliff, Major R. F.
Remnant, James Farquharson
Roberts, S.(Sheffield,Ecclesall)
Ronaldshay, Earl of
Ropner, Colonel Sir Robert
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Stanier, Beville
Staveley-Hill, Henry (Staff'sh.
Stone, Sir Benjamin
Talbot,Rt.Hn.J.G(Oxf'd Univ.
Thornton, Percy M.
Valentia, Viscount
Walker, Col.W.H.(Lancashire)
Walrond, Hon. Lionel
Winterton, Earl
Wyndham, Rt. Hon. George
Young, Samuel

Tellers for the Noes—Mr. George Faber and Sir Frederick Banbury.

*The CHAIRMAN: I do not know whether the next Amendment † in the name of the hon. Member for Sheffield is meant seriously or not, but even if it is meant seriously it is too vague.

Mr. JAMES HOPE: If I were to recite the powers that were actually exercised by the *concilium regis ordinarium* should I remove the reproach of vagueness?

*The CHAIRMAN: I have no such Amendment before me, and until I have I cannot say.

Mr. SAMUEL ROBERTS (Sheffield, Ecclesall) said he was sure, in moving an Amendment to secure that one of the Commissioners "shall be either a barrister-at-law of at least seven years standing who has had practising experience of licensing law, or a solicitor who has for at least three years since the coming into law of the Licensing Act, 1904, acted as clerk to any bench of licensing justices or to any licensing authority," he should have the sympathy and he hoped the approval of the Solicitor-General, who was always loyal to his profession. A good deal had been said about the constitution of the Licensing Commission, but they had had no information as to the qualifications these gentlemen were to have. It was very essential that there should be associated with them some gentleman of legal experience, and especially one who had had experience of the licensing law. The duties of the Commission were very various and onerous. They would have before them the alteration and revision of all schemes for reduction. They would have it in their power to consent to the grant of new licences despite a local veto vote, to an excess of the statutory reduction, to optional reduction, and to the carrying out of local option in Wales. They had also the administration of the compensation fund, the payment of compensation and borrowing on the compensation fund, and it was surely important that one of their number should be experienced in the licensing law. In almost all former cases where Parliament had set up a Commission to administer large amounts of property it had been expressly provided that there should be on their body some representation of lawyers. The Ecclesiastical Commission included the Lord Chancellor, the Lord Chief Justice, the Master of the Rolls, and two Judges of the Admiralty Division. The Lunacy Commission consisted of both legal and medical members, of whom the former must be practising barristers of at least five years standing and the secretary must be a barrister of at least seven years standing. He had a subsequent Amendment to provide that there should be appointed a secretary of this Commission. The Bill merely empowered a secretary to be appointed. In regard to the Charity Commissioners the same thing applied. They were constituted under 16 and 17 Vict., c. 137, and by Section 1 of the Act two at least of the four Commissioners were required to be barristers of not less than twelve years standing and one of them must be the chairman. Knowing how intricate the law of licensing was he urged on the Government that it was important for these Commissioners to have legal advice among their number and that one at least should be a barrister of experience or a solicitor who had acted as clerk to a bench of licensing justices. There were many who had done so who would be very well qualified to take a position on the Licensing Commission.

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† The said Amendment proposed that the Commissioners should "be possessed of all such powers as were *de facto* exercised prior to the year one thousand six hundred and forty-one by the *concilium regis ordinarium*."

Amendment proposed—

"In page 9, line 5, at end, to insert the words 'and one of such Commissioners shall be either a barrister-at-law of at least seven years standing who has had practising experience of licensing law or a solicitor who has for at least three years since the coming into law of the Licensing Act, 1904, acted as clerk to any bench of licensing justices or to any licensing authority.'"—(*Mr. Samuel Roberts.*)

Question proposed, "That those words be there inserted."

SIR S. EVANS said there were many solicitors who would answer to the proposed description who would be qualified for the work, but he did not think it at all necessarily followed that every solicitor who had for three years acted as clerk to these bodies would be a fit and proper person to appoint. The truth of the matter was that, although this body would have some judicial functions and ought to act in every matter in a judicial frame of mind, it was really an administrative more than a judicial body, and it would be a pity to limit the choice of members by saying the Government were not to have a free hand except within the terms of the Amendment. They thought it was much better that there should be an absolutely free and unlimited choice. The hon. Member had referred to three Commissions, the constitution of which reinforced his argument. But the Admiralty Judges were only *ex officio* members and not acting members of the Ecclesiastical Commission. Moreover, there were matters of legal technicality to be determined by the Ecclesiastical Commissioners, and there might be reason why some of their body should be barristers. Questions of the very nicest possible legal subtlety came before the Charity Commissioners, and it was no doubt right that there should be some legal members on it. He saw no reason himself for adapting the constitution of the Lunacy Commission to that of the Commission they were setting up. It would be perfectly competent for those who advised His Majesty to appoint as Commissioners persons who would answer to the description of the hon Member's Amendment. The effect of the Amendment, however, would be to make this obligatory and would limit the choice. He thought it would be better to leave them a free hand.

MR. A. J. BALFOUR (City of London) said he was disposed to agree with the hon. and learned Gentleman, though not for the reasons he had given to the Committee. He thought it would be quite unnecessary to appoint any lawyer or any prominent solicitor to serve on this Commission. Why was this general knowledge of the law and practice of licensing required? The first duty of the Commissioners would be to forget all they had ever learned about the licensing laws or practice. Previously passed licensing statutes were to be repealed, and the only statute they would have to deal with was the Bill under discussion, and the less one knew about the present law the more likely would he be to take an intelligent view of the Bill under discussion. His hon. friend suggested that somebody should be appointed who had been in the habit of dealing with these matters as advisers to local justices. He could not conceive of any justification for that proposal, because every principle known to the law of compensation was torn up by this Bill. Every principle of equity, whether under the Act of 1904 or the Acts which governed payment for property taken compulsorily, had been deliberately abandoned by the framers of this Act. Why should it be necessary for the people who would have to carry out this Act to have been trained in long-established methods of doing justice? They wanted people with a happy indifference to precedent, ignorant of all that had hitherto been done in giving compensation for market value, and therefore quite ready and happy in the administration of a law which totally ignored the market value of a man's property. He would not press the matter further, and under the circumstances he would ask his hon. friend to withdraw his Amendment.

Mr. LAMBTON (Durham, S.E.) thought they required not only a lawyer but also a gentleman able to understand the Welsh language, because the Commission would have an immense amount of work to do looking after optional reduction in Wales. The Leader of the Opposition had said that it was not necessary to have anybody acquainted with the law to deal with a Bill like this, which would do away with all law on the licensing question. As a rule the Government appointed those who knew the least about the subject, and he hoped in this case the Solicitor-General would take some pains to see that those who were appointed would be those who understood something about licensing and the habits of the country.

Amendment negatived.

*Mr. LANE-FOX moved an Amendment providing that the Commissioners should hold office "by the same tenure as a Judge of the High Court of Justice." He said that whatever tenure was given to these Commissioners it should be sufficiently long to make them feel secure and independent of outside criticism. The words which he proposed to move might give them too rigid a tenure, but he moved them in order to ascertain from the Government what that tenure would be, as it was not made clear in the Bill.

Amendment proposed—

"In page 9, line 5, at end, to insert the words 'who shall hold office by the same tenure as a Judge of the High Court of Justice.'"—(*Mr. Lane-Fox.*)

Question proposed, "That those words be there inserted."

Sir S. EVANS said it would not be convenient to make the tenure the same as that of the High Court Judges. The hon. and learned Member for Kingston had put down an Amendment to the effect that the office was to be held during His Majesty's pleasure and those words expressed what was implied by the method now suggested. The appointments would be made during His Majesty's pleasure, and these were the terms used in the case of all Civil servants. It was intended that the office should be held for fourteen years, or for such longer term as might be necessary to wind up the work allotted under the Bill.

Lord R. CECIL said he very much disliked the proposal to which the Solicitor-General had given expression, that these Commissioners should hold office at the pleasure of His Majesty, which really meant during the pleasure of the Government of the day. Those gentlemen were going to discharge enormously responsible functions, and upon their decisions would depend the fortunes of a great number of their fellow subjects. In many respects they had to discharge what were, in their nature, judicial functions and they were taking the place of a judicial body which had hitherto carried out functions of a somewhat similar character. They were creating a judicial body of enormous power upon whose decisions a very great deal of the property of the country might easily depend. Judicial powers should always be sharply divided from executive powers, and they ought to give to these Commissioners such a tenure of office as would make them practically independent of the Government of the day. Personally, he protested very strongly against the increasing habit of the present Government of creating *ad hoc* tribunals to take the place of existing tribunals. He could conceive a House of Commons containing a large teetotal majority and the Licensing Commission in the proper exercise of their duty giving some decision not in accord with the views of that majority. What would happen? A Motion would probably be made by some member of the majority disapproving of the action of the Commissioners, and the Government would have either to run the risk of a party defeat or to direct the removal of the Commissioners. The system was fundamentally wrong. The Government had already conferred upon the Local Government Board judicial powers under the Pensions Act, and the Housing Act. This was a very much more serious question than hon. Members seemed to think, for it was a question of the first possible importance. Everybody who had read elementary English history knew that the greatest reform of the 1688 revolution was that of making the Judges independent of the Government of the day. He was very strongly of opinion that some substantial tenure should be given to the Licensing Commissioners which would make them independent of the passing majority of the House of Commons. He appealed to the Committee seriously to consider whether it was wise to continue sanctioning the creation of new tribunals like the Licensing Commission. That was a most essential thing, and he appealed to the Government to do something to meet the legitimate objection raised by his hon. friend who moved the Amendment.

MR. RAWLINSON (Cambridge University) renewed the protest he had made in what he termed the "unfavourable circumstances" of the previous evening against the appointment of a *quasi*-judicial tribunal of this sort, and said it was the worst possible form of tribunal which could be set up. In this case it would be a tribunal made up of civil servants responsible to the Government and the party that appointed them. It was not fair to put the Commissioners in that position. In such cases there was insensible pressure brought to bear upon the people appointed, and it was certainly desirable that if possible anything of that nature should be avoided. This was a question which went far beyond the particular Bill now before the Committee. It was a bad system in itself, and it should be resorted to only in exceedingly exceptional circumstances. If the House had made up its mind that this was to be a Commission of Civil servants, the least thing they could do would be to give them fixity of tenure for fourteen years to secure independence for that period. The present Government had not shown too great a desire to back up the Judges who had been appointed in Ireland. There were already difficulties enough in the way of people who were properly appointed, but if they appointed judicial officers directly responsible to the Government of the day, when possibly party feeling might run high, these officers would be less likely to receive the support of the Government in the discharge of their duties. The public would think that they were liable to bias because of the influence upon them of the opinions of the Government that appointed them.

*MR. HERBERT SAMUEL said that there was nothing in the functions of this Commission which could be compared with the functions of a Judge. Those functions were undoubtedly responsible, but it could not for a moment be contended that they were judicial. They were entirely administrative and financial, and it was a misnomer to say they were judicial.

MR. BONAR LAW said he only rose to correct what he thought was a want of knowledge which the hon. Gentleman opposite had displayed of his own Bill. He had said that the functions of the Commissioners were not judicial. How could the hon. Member make such a statement? Supposing the question arose whether or not a big hotel was to get a licence, it remained absolutely in the discretion of the Commissioners whether it was to be given or not. Was that not a judicial function when it dealt with immense sums of money? He maintained that the functions were judicial, and that they were to be carried out by no process known to the law. A Judge obtained his position because he had risen to a position of eminence in the law; the process by which he gave his judgments was known, and anyone who became a Judge could be trusted to exercise his functions fairly, and, therefore, it was admitted that his position should be secure. But what guarantee had they that the men who were to exercise these functions would be of the same standard as Judges? If the Commissioners were to be lawyers, how were they going to get a good lawyer at £1,200 a year?

Sir S. EVANS: Lots of them.

Mr. BONAR LAW said then they had not shown that they were good lawyers, or they would make more. A dictatorship of fourteen years might be all right if they were sure of the dictator, but it might be a very bad thing if they were not.

Sir S. EVANS controverted the suggestion that a good lawyer could not be secured for the salary given, and denied that the duties devolving upon the Commissioners were judicial. He would remind the House of one notable case of a law reporter who became one of the most eminent Judges this country had ever known. He referred to Lord Blackburn, who hardly ever opened his mouth in Court.

Lord R. CECIL said that if the hon. and learned Gentleman would read the reports of some of the most important law cases of the day, he would find that though Lord Blackburn had a comparatively restricted practice he was in some of the most important cases.

Sir S. EVANS said that hon. Gentlemen opposite were quite wrong in saying that the duties devolving on the Commissioners would be judicial duties. They would be administrative duties purely and simply, but they would be carried out in a manner that might be described as judicial. The Committee would remember that even the licensing justices had been declared not to be a Court in a judicial sense. The Commissioners would have nothing to do with discriminating between one public-house and another—the duty would be performed by the justices with their local knowledge.

Mr. G. D. FABER said that if the justices failed to prepare a scheme, or failed to select one, the Commissioners were to exercise that function.

Sir S. EVANS said that was only the preparation of a scheme, and he did not think the case was ever likely to arise. He did not think that the hon. Member for York would suggest that any body of justices would fail to carry out, or try to carry out, faithfully and honestly the duties entrusted to them by Parliament.

Mr. JESSE COLLINGS (Birmingham, Bordesley) asked whether the Commissioners were in any way bound to accept the schemes prepared by the justices.

Mr. AUSTEN CHAMBERLAIN thought it was impossible to reconcile the views held on the two sides of the House as to the duties of the Commissioners. The Government said that the Commissioners could not be compared to Judges, and he was inclined to agree with that. The reason for the existence of Judges was to administer justice, and the reason for the existence of these gentlemen was to administer injustice. He wished to know whether, unless special words were inserted in the Bill, it would not be obligatory to compensate the Commissioners for the abolition of office after the fourteen years had expired. There were in existence conditions which laid down that if the office of a Civil servant was abolished, he was entitled, in the absence of an express contract to the contrary, to claim the abolition terms.

Mr. A. J. BALFOUR said there was another point which ought to be considered. The Government meant to make these gentlemen practically Civil servants. In this House they were very chary about attacking or criticising Civil servants. What they did was to attack or criticise the Parliamentary head of the department in which the Civil servants carried on their duties; they regarded the

Parliamentary head as being responsible for the work of the Department, and he it was who had to defend his office. He understood that the Vote for the salaries of these new Civil servants was to be put down under the Home Office Vote. Was the Secretary of State for the Home Department to be in any sense responsible to Parliament for their action? Was he to have any power of supervision or control? Did any responsibility to Parliament lie with him for the manner in which these gentlemen carried out their functions? If not, they would have Civil servants who, by the very terms of the case were not Civil servants, like gentlemen who worked in the Home Office, or the Colonial or Foreign Offices. They were gentlemen who were Civil servants and yet had no Parliamentary chief. He believed there was no precedent for that. There might be, because he had not thoroughly examined the case; but he was quite sure that such a precedent should not be set up, least of all when those gentlemen were to carry out these functions and for large pay. What was to be the position of those gentlemen? A Vote might be put down on a given Supply night, say the Home Office Vote. A strong attack might be made on the way these gentlemen distributed the funds at their disposal, giving a preference to one district over another, and it might be alleged that their action was open to severe censure. Was the Home Secretary to be responsible for their action? Or was he going merely to hold a brief for them? Was he to say: "The reason, I understand, for their doing so-and-so is such-and-such. I am informed that the motive of these gentlemen is the following. I have had no opportunity of looking into the case. If injustice has been done I am not to blame. All that I can do is to inform the Committee of Supply what their defence is." He ventured to say that that would be extremely inconvenient both for the Secretary of State, and for those gentlemen.

*THE CHAIRMAN said that he could not see that the right hon. Gentleman could connect his argument with the Amendment before the Committee. The Amendment merely applied to the Commissioners holding office by the same tenure as a member of the High Court of Justice. The right hon. Gentleman would be in order when they came to consider the clause as a whole.

MR. A. J. BALFOUR thought he was very strictly in order, because there were two alternatives before the Committee, judicial tenure or Civil Service tenure. He had no desire to prolong the debate, but as he thought the matter was of great importance, if it were more relevant when they came to consider the clause as a whole, he would then ask for a reply from the Government.

MR. GOULDING said he could not follow the Solicitor-General when he said that the Commissioners had only administrative authority. He should have thought that their authority was both judicial and administrative. Subsection (3) of Clause 1 distinctly said—

> "If the grant of any new licence has been confirmed in contravention of this section the Commissioners shall declare that that licence is invalid."

There could not be a clearer case than that showing that their function was judicial. He was bound to say that the whole position was very confused, for they proposed to mix up great powers and duties in the same body of men. He insisted that the House must keep some control over them, because they were the Supreme Court of Appeal and their decision was final.

MR. NUSSEY (Pontefract) said it seemed to him that the Committee was now debating the question when was a Judge not a Judge—when was a Commissioner not a Judge. The Solicitor-General contended that the duties of the Commissioners were not judicial at all to an appreciable extent, but purely administrative. But if the hon. and learned Gentleman looked at subsection (4) of Clause 6, he would see that some of the duties were judicial as well as administrative. That subsection said:—

> "Every scheme prepared, and every revision of a scheme made by the licensing justices under this section shall be submitted as soon as practicable to the Licensing Commissioners for their approval."

They were to give their judicial opinion as to whether the scheme submitted to them properly carried out the Act or not. The words were :—

> " The Commission shall consider the scheme or revision, and may, after consultation with the licensing justices, make such alterations, if any, therein as they consider necessary or expedient for the purpose of properly carrying into effect this Act."

That seemed to be purely judicial so far as those duties went. He did not support the Amendment moved from the other side of the House, for it placed these Commissioners in too lofty a position to give them the same tenure of office as a Judge of the High Court. He thought the right hon. Gentleman was quite wrong in contending that they could not get a good lawyer for a salary of £1,200 a year. He believed that if the fact of such an appointment being open was made known to the Bar, there would be a large number of applications for it from good lawyers. He insisted, however, that the Commissioners should be put in an entirely independent position, not subject to be turned out of office at the caprice of a majority of this House, and not subject to undue pressure either by the brewers and the licensed trade, or by the teetotal party.

Mr. LANE-FOX said he could not agree to the suggestion of the hon. and learned Gentleman that the functions of the Commissioners were not judicial, but he asked leave to withdraw his Amendment.

Amendment, by leave, withdrawn.

Mr. LAMBTON moved to add to the first subsection the words "No person shall be appointed to the Licensing Commission who has held a seat in the present Parliament." This, he said, was a constitutional question, because the Commissioners had by the sense of the House been declared to be a judicial body—although the Solicitor-General had thrown some doubt about it—as well as an administrative body. As his hon. friend had pointed out, it was a maxim of our Constitution that judicial should be separated from executive functions. That was one of the principles laid down by the glorious Revolution of 1688, and that principle should be maintained in this Bill. It was possible that some Member of Parliament might be appointed as one of the Commissioners—a Member who had helped to pass the Bill, and who had laid down conditions in it, not entirely in a judicial frame of mind but actuated by Party passion and partisanship, and perhaps ignorance of the subject. There were three schools of thought in the House on the Licensing Bill. There was the teetotal school; a Government school which seemed to think of nothing but of obtaining the monopoly value; and there was the third school, which sat on the Opposition side of the House, the temperance school, which did not believe in coercive measures, in extraordinary sumptuary laws, or in the idea of making people sober by Act of Parliament. It was almost impossible to have a man of impartial mind who had sat in this Parliament. If the Solicitor-General would accept his Amendment it would relieve some anxiety in the country. He begged to move.

Amendment proposed—

> " In page 9, line 5, at the end, to insert the words ' but no gentleman who has hold a seat in the present Parliament shall be appointed a Commissioner.' "—(*Mr. Lambton.*)

Question proposed, " That those words be there inserted."

Sir S. EVANS disputed the idea of the hon. Member that no Member of that House could bring an impartial mind to bear upon the duties of a Commissioner, under this Bill, if he were appointed.

Mr. LAMBTON denied that he said so. All he said was that they could not get an impartial witness to his own act.

Sir S. EVANS said he was sure that there was one hon. Member who would bring an impartial mind to bear upon his duties, and that was the hon. Member himself. He was sure that if he had the offer to make and were successful enough to get the hon. Member's acceptance of it, he would be perfectly well satisfied that he had done a very good thing in the interests of the country. He could not accept the Amendment. He did not think there was a precedent for it, and he hoped the hon. Member would not ask him for any further argument against it.

MR. AUSTEN CHAMBERLAIN said that those who had taken part in passing Bills through the House were sometimes surprised at the interpretations which were given to them in a Court of law. It sometimes happened that a measure they carried did not carry out the intention with which they framed it. ["The Kennedy judgment."] He did not think that was a good illustration, because the Kennedy judgment carried out their intentions, because it prevented a man's property being taken away without proper compensation. But he would not go back to the debates of yesterday. He would only say as to intentions that a Judge rightly excluded all such ideas from his mind. Here, however, was a Bill which was full of difficult questions and the Commissioners were to have a latitude very much greater and powers very much larger than those of a Judge. Under the Bill a large amount of valuable property was at stake, and was it possible that a gentleman who had sat in this House and taken part in these discussions should be uninfluenced by his ideas as to the intentions of the framers of the Bill, or what he thought when he voted upon the measure? He thought there was ground for excluding those who had taken part in discussions of this controversial character. He should have thought the Amendment would have been very welcome to His Majesty's Ministers. They could not be anxious to create bye-elections, and it would be such a satisfactory answer to many possible claims, to be able to state that Parliament had put it out of their power to grant them.

*MR. GRETTON (Rutland) did not know whether the Government were inclined to make some concession, but the only serious answer they had had to the Amendment was that it was not usual to put a clause of this kind in an Act of Parliament. He thought the point could be met by an undertaking across the floor of this House that no such appointment would be made. If the Government were not prepared to give that undertaking and make that concession, he thought it would be necessary to advance further arguments against the proposal that Members of the House should be appointed members of the Commission. Of course, every Government had followers, and often posts and appointments were wanted for those who had not found a place within the Ministry. The formation of any Government, also, must be a disappointment to some of their followers, and, of course, posts of this kind were a *solatium* to those who were disappointed in regard to a more important position. It was convenient enough for a Government to have posts of this kind with salaries attached, but his hon. friend who moved the Amendment advanced very cogent reasons why Members of the House should not be appointed to exercise the judicial functions which the Commission would have to exercise. It was very important that the Commission should exercise its functions according to the terms of this Bill, in a manner which would inspire confidence, and adhere strictly to the law. There should be no pressure or suspicion of pressure upon them. A Commission formed of Members who had taken part in the discussion and controversies of the Bill would not inspire confidence, as they would not be good judges. It seemed to him that arguments of a sufficient character had been advanced to induce the Government to enter into a self-denying ordinance in this matter.

MR. NIELD (Middlesex, Ealing) said that for the reasons given by the right hon. Member for Worcester he desired strongly to support this Amendment. From what the right hon. Member had said it appeared obvious that no person who had taken part in the discussion should be a Commissioner, as he might read into the Bill something of what he gathered was supposed to be the intention. In the Courts Judges refused to receive any assistance from statements made in the House as to the intention of the authors of the Bill. When such evidence was offered the Judges invariably ruled that it was inadmissible; that they could not take any other evidence than that which could be reasonably deduced from the words in the measure before them. If ever a Bill had been introduced in this Parliament which had engendered heated feelings and anger it was this Licensing Bill. The statement that all in favour of the Bill were on the side of the angels, and that those who opposed it were on the other side, were a sufficient indication of the feeling that had been raised. The Government should guard against the slightest possibility of any one Member of the House being introduced into the Commission. He had in his hand a copy of the Bill which had been carefully examined by a well-known authority on these matters, who had written a book upon them, and he characterised the whole of this clause as monstrous. Therefore, they ought to take care that the administration was in the hands of persons who could not be pointed at as being connected with the framing of the Act.

Question put.

The Committee divided:—Ayes, 82; Noes, 252. (Division List No. 304.)

AYES.

Acland-Hood, Rt Hn. Sir Alex. F
Ashley, W. W.
Balcarres, Lord
Baldwin, Stanley
Balfour, Rt Hn. A. J. (City Lond.)
Banbury, Sir Frederick George
Beach, Hn. Michael Hugh Hicks
Beckett, Hon. Gervase
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Chamberlain, Rt Hn. J. A. (Worc.
Cochrane, Hon. Thos. H. A. E.
Collings, Rt. Hn. J. (Birminghm
Courthope, G. Loyd
Craik, Sir Henry
Dixon-Hartland, Sir Fred Dixon
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Duncan, Robert (Lanark, Govan
Faber, George Denison (York)
Faber, Capt. W. V. (Hants, W.)
Fardell, Sir T. George
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Gretton, John
Guinness, W. E. (Bury S. Edm.)
Hamilton, Marquess of
Hardy, Laurence (Kent, Ashf'rd
Harrison-Broadley, H. B.
Hay, Hon. Claude George
Hills, J. W.
Hope, James Fitzalan (Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Kerry, Earl of
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Long, Col. Charles W. (Evesham
MacCaw, Willaim J. MacGeagh
M'Arthur, Charles
Marks, H. H. (Kent)
Mildmay, Francis Bingham
Morpeth, Viscount
Nield, Herbert
Nolan, Joseph
O'Brien, Kendal (Tipperary Mid
O'Brien, Patrick (Kilkenny)
Oddy, John James
Parkes, Ebenezer
Pease, Herbert Pike (Darlington
Percy, Earl
Powell, Sir Francis Sharp
Rasch, Sir Frederic Carne
Ratcliff, Major R. F.
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Roberts, S. (Sheffield, Ecclesall)
Ropner, Colonel Sir Robert
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Schwann, Sir C. E. (Manchester)
Scott, Sir S. (Marylebone, W.)
Stanier, Beville
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Valentia, Viscount
Walker, Col. W. H. (Lancashire)
Walrond, Hon. Lionel
Whitbread, Howard
White, Patrick (Meath, North)
Winterton, Earl
Wyndham, Rt. Hon. George
Young, Samuel

TELLERS FOR THE AYES—M. Lambton and Mr. Goulding.

NOES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Agar-Robartes, Hon. T. C. R.
Agnew, George William
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Ashton, Thomas Gair
Asquith, Rt. Hn. Herbert Henry
Astbury, John Meir
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Barker, John
Barlow, Sir John E. (Somerset
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Beale, W. P.
Beaumont, Hon. Hubert
Beck, A. Cecil
Bethell, Sir J. H. (Essex, Romf'rd
Bethell, T. R. (Essex, Maldon)
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Bryce, J. Annan
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Charles
Cameron, Robert
Carr-Gomm, H. W.
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cheetham, John Frederick
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Sir Wm. J. (S. Pancras, W
Corbett, C H (Sussex, E. Grinst'd
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Crooks, William
Crossley, William J.
Curran, Peter Francis
Davies, Timothy (Fulham)
Davies, Sir W. Howell (Bristol, S.
Dewar, Arthur (Edinburgh, S.)
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Duckworth, James
Duncan, C. (Barrow-in-Furness
Edwards, Clement (Denbigh)

Edwards, Enoch (Hanley)
Edwards, Sir Francis (Radnor)
Ellis, Rt. Hon. John Edward
Essex, R. W.
Esslemont, George Birnie
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Findlay, Alexander
Foster, Rt. Hon. Sir Walter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Gill, A. H.
Gladstone,RtHn.Herbert John
Glen-Coats, SirT.(Renfrew, W.)
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Guest, Hon. Ivor Churchill
Gulland, John W.
Gurdon,RtHn.SirW.Brampton
Hall, Frederick
Harcourt,Rt.Hn.L.(Rossendale
Harcourt, Robert V.(Montrose)
Hardie, J.Keir(MerthyrTydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Harvey, A. G. C. (Rochdale)
Harvey, W.E.(Derbyshire,N.E.
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hazel, Dr. A. E.
Hedges, A. Paget
Helme, Norval Watson
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon.,S.,
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobhouse, Charles E. H.
Hodge, John
Hooper, A. G.
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, Sir James Alfred
Jardine, Sir J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, SirD.Brynmor (Swansea
Jones, Leif (Appleby)
Jones,William(Carnarvonshire)
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Layland-Garratt, Sir Francis
Lehmann, R. C.
Lever, A. Levy(Essex, Harwich
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lundon, W.
Luttrell, Hugh Fownes
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, J.M.(Falkirk B'ghs
Maclean, Donald
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah (Down, S.
M'Callum, John M.
M'Crae, Sir George
M'Laren, Sir C. B. (Leicester)
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Markham, Arthur Basil
Marks, G.Croydon(Launceston)
Marnham, F. J.
Massie, J.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Money, L. G. Chiozza
Montagu, Hon. E. S.
Morgan, J. Lloyd (Carmarthen)
Morse, L. L.
Morton, Alpheus Cleophas
Murray,Capt.HnA.C.(Kincard.
Murray, James (Aberdeen, E.)
Myer, Horatio
Nicholson,CharlesN.(Doncast'r
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
Parker, James (Halifax)
Partington, Oswald
Pearce, William (Limehouse)
Pickersgill, Edward Hare
Price,C.E. (Edinb'gh, Central)
Radford, G. H.
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rees, J. D.
Richards, Thomas (W.Monm'th
Richards,T.F.(Wolverh'mpt'n)
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts,SirJohnH.(Denbighs.
Robertson,SirG.Scott(Bradf'rd
Robinson, S.
Robson, Sir William Snowdon
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Scott,A.H.(Ashton-under-Lyne
Seaverns, J. H.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.)
Sherwell, Arthur James
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Sutherland, J. E.
Taylor, TheodoreC. (Radcliffe)
Tennant, Sir Edward(Salisbury
Tennant, H. J. (Berwickshire)
Thomas,Abel (Carmarthen,E.)
Thomas, SirA. (Glamorgan, E.)
Thomas, David Alfred(Merthyr
Thompson,J.W.H.(Somerset,E
Thorne, G.R. (Wolverhampton
Thorne, William (West Ham)
Tomkinson, James
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Villiers, Ernest Amherst
Vivian, Henry
Walker, H. De R. (Leicester)
Walton, Joseph
Ward, John (Stoke-upon-Trent
Waring, Walter
Warner, Thomas Courtenay T.
Wason,RtHn.E.(Clackmannan
Wason, John Cathcart(Orkney)
Waterlow, D. S.
Watt, Henry A.
Weir, James Galloway
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker,RtHn.SirThomasP.
Wiles, Thomas
Williams, J. (Glamorgan)
Williams,Llewelyn(Carmarth'n
Wills, Arthur Walters
Wilson, Hon. G. G. (Hull, W.)
Wilson,HenryJ. (York, W. R.)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, J.W.(Worcestersh. N.)
Wilson, W. T. (Westhoughton)
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE NOES—Mr. Joseph Pease and Master of Elibank.

MR. G. A. HARDY (Suffolk, Stowmarket) moved an Amendment that no person financially interested in the liquor trade should be appointed a Commissioner. This, he said, was an Amendment urgently desired by a majority of the people outside the House. If the Bill were allowed to pass without this disqualification it was thought that at some time or other a great scandal might possibly arise. He begged to move.

Amendment proposed--

"In page 9, line 5, at the end, to insert the words 'Provided that no person financially interested in the liquor trade shall be appointed a Commissioner.'"—(*Mr. G. A. Hardy.*)

Question proposed, "That those words be there inserted."

MR. JESSE COLLINGS asked whether the hon. Gentleman would include in his Amendment the words "or anybody connected with a so-called temperance society," or whether his sense of fairness only carried him half-way. Already they had that spectacle on licensing bodies on which members of the trade were not allowed to act, but on which the most rabid and fanatical teetotallers were. That had caused a great amount of injustice and unfairness, and it was typical of the frame of mind of the so-called temperance party. When moving an Amendment of this kind, where one party who might or might not have strong views were not to be admitted, whilst another party holding, as was well known, fanatical opinions were to be included, was the hon. Gentleman inclined to exclude the right hon. Member for the Spen Valley and the hon. Member for Appleby, the authors of this Bill, as well as those connected with the liquor trade? If he declined to make that addition they would have another instance of the unjust spirit which ruled the whole making up of this Bill, which was becoming the laughing stock of the country.

MR. GOULDING moved as an Amendment to the Amendment the words "or in any of the goods usually sold in licensed establishments." He submitted that with that addition anybody who had any connection with the trade would be excluded. He begged to move.

Amendment to the proposed Amendment proposed—

"After the word 'trade,' to insert the words 'or in any of the goods usually sold in licensed establishments.'"—(*Mr. Goulding.*)

Amendment to the proposed Amendment agreed to.

SIR S. EVANS said he imagined the original Amendment was moved as a sort of *tu quoque* to that of the hon. Member for South-east Durham. He hoped his hon. friend would not press it further. They did not want to make any distinctions, invidious or otherwise, in the matter. And the fact that the matter was to be fought out on the Report stage when the names of the Commissioners were to be given was, he thought, a sufficient answer.

MR. G. A. HARDY begged leave to withdraw the Amendment.

Leave to withdraw refused.

MR. GRETTON moved as an Amendment to the Amendment, as amended, to add after the word "establishments," the words "nor anyone who is or has been financially interested in any temperance society." It was, he said, well known that a large body of persons in this country derived considerable profit out of the so-called temperance movement, and it was only right that any exceptions that were made should include those who were in receipt of salary as agents for these societies. A large number of the so-called temperance societies in this country had pledged themselves to take a drastic and extreme course in temperance reform. They could not, therefore, be called unbiassed persons, nor, having regard to the fact that they were or had been in receipt of salaries, could they be called otherwise than financially interested. He begged to move.

Amendment to the proposed Amendment proposed—

"After the words last inserted, to insert the words 'nor anyone who is or has been financially interested in any temperance society.'"—(*Mr. Gretton.*)

Amendment to proposed Amendment, agreed to.

Question proposed, "That those words as amended, be there inserted."

SIR S. EVANS appealed to the House not to divide on the Amendment, for he did not think it would be a dignified course for the House to adopt. The Amendment raised invidious distinctions, and the real answer was that the Prime Minister had undertaken that he would inform the House before the Report stage was completed who the persons were to whom the appointments would be given. To take a division would not add to the dignity of their proceedings.

SIR E. CARSON (Dublin University) said the dignity of the House, referred to by the Solicitor-General, was not in the least assailed apparently when a former Amendment was put down, and when it was proposed to exclude anybody interested in the licensing trade from taking part in Quarter Sessions or Petty Sessions on licensing business. So long as this was a lopsided Amendment to exclude those who were interested in the licensing trade they heard nothing of the dignity of the House; but the moment an addition to the Amendment was proposed to exclude anybody who was financially interested in temperance societies then the whole dignity of the House was threatened.

SIR S. EVANS: The right hon. Gentleman is quite wrong. I opposed the original Amendment.

Question put.

The Committee divided:—Ayes, 71; Noes, 237. (Division List No. 305.)

AYES.

Acland-Hood,Rt.Hn Sir Alex.F
Ashley, W. W.
Balcarres, Lord
Baldwin, Stanley
Balfour,Rt.Hn.A.J.(City Lond)
Banbury, Sir Frederick George
Beach,Hn.Michael Hugh Hicks
Beckett, Hon. Gervase
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Chamberlain,Rt Hn.J.A.(Worc
Coates, Major E. F. (Lewisham)
Collings, Rt.Hn.J.(Birmingh'm
Courthope, G. Loyd
Craik, Sir Henry
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Duncan,Robert(Lanark,Govan
Faber, George Denison (York)
Faber, Capt. W. V. (Hants, W.
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Gretton, John
Guinness, W.E. (Bury S. Edm.)
Halpin, J.
Hamilton, Marquess of
Hardy,Laurence(Kent,Ashford
Harrison-Broadley, H. B.
Hill, Sir Clement
Hills, J. W.
Hope,James Fitzalan(Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Kerry, Earl of
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Long, Col.Charles W.(Evesham
MacCaw, William J. MacGeagh
Marks, H. H. (Kent)
Mildmay, Francis Bingham
Nield, Herbert
Nolan, Joseph
Oddy, John James
Powell, Sir Francis Sharp
Rasch, Sir Frederick Carne
Ratcliff, Major R. F.
Rawlinson,John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Ropner, Colonel Sir Robert
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Stanier, Beville
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Valentia, Viscount
Walker, Col.W.H. (Lancashire)
Walrond, Hon. Lionel
White, Patrick (Meath, North)
Williams, Col. R. (Dorset, W.)
Wyndham, Rt. Hon. George
Young, Samuel

TELLERS FOR THE AYES—M Samuel Roberts and M Goulding.

NOES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Agar-Robartes, Hon. T. C. R.
Agnew, George William
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Ashton, Thomas Gair
Asquith, Rt.Hn.Herbert Henry
Astbury, John Meir
Baker, Joseph A. (Finsbury,E.)
Balfour, Robert (Lanark)
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Beale, W. P.
Beaumont, Hon. Hubert
Beck, A. Cecil
Bethell,SirJ.H.(Essex,Romf'rd
Bethell, T. R. (Essex, Maldon)
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Bryce, J. Annan
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Cameron, Robert
Channing, Sir Francis Allston
Cheetham, John Frederick
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins,Sir Wm.J.(S.Pancras,W
Corbett,C H (Sussex,E.Grinst'd
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crooks, William
Crossley, William J.

Curran, Peter Francis
Davies, Sir W. Howell (Bristol, S)
Dewar, Arthur (Edinburgh, S.)
Dilke, Rt. Hon. Sir Charles
Duckworth, James
Duncan, C. (Barrow-in-Furness
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Sir Francis (Radnor)
Ellis, Rt. Hon. John Edward
Essex, R. W.
Esslemont, George Birnie
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Findlay, Alexander
Foster, Rt. Hon. Sir Walter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Furness, Sir Christopher
Gill, A. H.
Gladstone, Rt. Hn. Herbert
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Gulland, John W.
Gurdon, Rt Hn. Sir W. Brampton
Hall, Frederick
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardie, J. Keir (Merthyr Tydvil
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r.
Harvey, A. G. C. (Rochdale)
Harvey, W. E. (Derbyshire, N.E.
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hedges, A. Paget
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon. S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hodge, John
Holt, Richard Durning
Hooper, A. G.
Hope, W. Bateman (Somerset, N
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, Sir James Alfred
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Sir D. Brynmor (Swansea)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D.
King, Alfred John (Knutsford)
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Layland-Barratt, Sir Francis
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Luttrell, Hugh Fownes
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk B'ghs
Maclean, Donald
Macnamara, Dr. Thomas J.
M'Callum, John M.
M'Crae, Sir George
M'Laren, H. D. (Stafford, W.)
Maddison, Frederick
Mallet, Charles E.
Markham, Arthur Basil
Marks, G. Croydon (Launceston)
Marnham, F. J.
Massie, J.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Money, L. G. Chiozza
Montagu, Hon. E. S.
Morse, L. L.
Morton, Alpheus Cleophas
Murray, Capt. Hn A C. (Kincard.
Myer, Horatio
Nicholson, Charles N. (Doncast'r
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Kendal (Tipperary Mid
Parker, James (Halifax)
Partington, Oswald
Pearce, William (Limehouse)
Pickersgill, Edward Hare
Price, C. E. (Edinb'gh, Central)
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rees, J. D.
Richards, Thomas (W. Monm'th
Richards, T. F. (Wolverh'mpt'n
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, Sir John H. (Denbighs.)
Robertson, Sir G Scott (Bradf'rd
Robinson, S.
Robson, Sir William Snowdon
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann, Sir C. E. (Manchester)
Scott, A H. (Ashton-under-Lyne
Seely, Colonel
Shackleton, David James
Shaw, Rt. Hn. T. (Hawick, B.)
Sherwell, Arthur James
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Steadman, W. C.
Stewart, Halley (Greenock)
Strachey, Sir Edward
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thomas, Sir A. (Glamorgan, E.)
Thomas, David Alfred (Merthyr
Thompson, J. W. H. (Somerset, E
Thorne, G. R. (Wolverhampton
Thorne, William (West Ham)
Tomkinson, James
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Villiers, Ernest Amherst
Walker, H. De R. (Leicester)
Walton, Joseph
Ward, John (Stoke-upon-Trent
Waring, Walter
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Watt, Henry A.
Weir, James Galloway
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker, Rt. Hn Sir Thomas P.
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Llewelyn (Carmarth'n
Wills, Arthur Walters
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, J. W. (Worcestersh. N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE NOES—Mr. Joseph Pease and Master of Elibank.

MR. LANE-FOX moved to leave out subsection (3). He imagined that the salaries which came under that subsection had been put as low as possible because they were to come out of the compensation levy. It was only fair to say that the great injustice of this proposal having been recognised, it had now been arranged that the salaries and expenses were to be defrayed from

Imperial sources. He thought they were now free to say that such salaries should be paid to the Commissioners as were likely to ensure their getting good men who would be independent of any pressure which might be put upon them. The Solicitor-General, in the earlier part of the discussion, had twitted them with being economists who were at the same time ready to increase the number of Commissioners irrespective of the cost to the country. His position and that of most of his hon. friends was that they did not want a Commission at all, but if they were to have one, then, at any rate, let them have good men, and as many men as were necessary for a proper performance of the work. The salaries offered were in very distinct contrast to the salaries of many other Commissioners. The salaries of Judges were higher, though he did not agree that there was nothing judicial in the functions of these Commissioners. But it was surely coming rather too low if they put the salaries of the Commissioners below the level of the ordinary County Court Judge. The Railway and Canal Commissioners got £3,000; Visitors in Lunacy, £2,000; the Lunacy Commissioners, £1,500; and their first secretary from £800 to £1,000, and the chief clerk from £500 to £650. In the case of the Irish Land Commission, the Judicial Commissioner got £3,500; Mr. Justice Fitzgerald, £3,000; Mr. Wrench, £3,500; Mr. Lynch, £2,500; and Mr. Finucane and Mr. Bailey, £2,000. In connection with the Scottish Land Bill it had been suggested that the Commissioners should receive, the Chairman £2,000, and the others £1,200. In view of the enormous interests involved and the great necessity of securing men who would be above all pressure on either side from those interested in this great question, it was most important to give an ample salary. He did not care whether the Solicitor-General said they were extravagant or not. It was not their fault that this scheme was being created, but if they were going to create it, let them have men who would be independent and beyond suspicion in the public eye. No one suggested there would be anything in the way of monetary corruption. That sort of thing he hoped was impossible. But there were many other forms of pressure besides financial, and what they wanted to avoid was appointing any man who would be liable to be subject to any pressure of this kind. He had heard an interjection a short time ago, suggesting that the only possible financial pressure would come from the brewers. But the great temperance organisations were also very wealthy, and were supported by many wealthy men. It was ridiculous for hon. Gentlemen opposite to sit on a pedestal and talk as if all the corruption was on the side of the brewers. It was just as much in the interests of the large manufacturer of ginger beer to promote temperance as it was in the interest of the brewers to promote his own trade, and nobody could blame the large manufacturer of temperance drinks who subscribed to temperance organisations, any more than they could blame brewers for subscribing to their organisations. It was a perfectly honest and business transaction, and it was absurd for Gentlemen opposite to talk as if there was no money on the other side, and the whole possibility of financial pressure must come from the brewing interest. In view of the much larger salaries paid to other Commissioners they would be committing a fatal mistake if they appointed men with a much smaller salary and thereby lowered the position, which ought to be the highest possible.

Amendment proposed—

"In page 9, line 10, to leave out subsection (3)."—(*Mr. Lane-Fox.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

*MR. BARNARD said that in the few speeches he had made on the measure lately he had not tried to touch principles, but had endeavoured to deal with what appeared to him to be important details in the machinery of the measure. He fully agreed with everything which the hon. Member for Barkston Ash had just said. They wanted, whether they liked the measure or not, to see that its administrative future was under the best possible auspices, and he could not help thinking that the sums of money it was proposed to offer these gentlemen were absolutely inadequate when they compared what other men were paid in many other positions which were not nearly so responsible. If he took London alone, their best administrative men, of whom he knew something, were all paid not less than £2,000 a year. Then there was another feature. The Government thought it desirable that there should be three Commissioners, and therefore, they would have to entrust a good deal of the work to persons who for convenience might be called sub-commissioners or inspectors. The Solicitor-General had said the Local Government Board carried out its business by means of inspectors, but they were sent down into the country very likely to contemplate the prudence or otherwise of some request for a loan, while in this case the class of men with whom the Commissioners or Sub-commissioners would be dealing were quite different. They were the magistrates of the country. Surely they should have some regard to the class of men to be appointed if they had to deal with the 900 different benches in the country. The position of these Commissioners was far and away a more important one than the Solicitor-General had pointed out. It was necessary to remind the House of one point which he had put to the Home Secretary and which the right hon. Gentleman had not answered. In the scheme of reduction there were certain possible exemptions touching upon auxiliary trades, and the necessity to deal with unusual populations coming to the place from outside or what not. The Commissioners had a tremendous judicial responsibility, recollecting that there were 900 different benches of magistrates in the country, some of whom might desire freely to utilise the powers of this Act in the schemes which they put forward, while others might positively resist it, and might very freely interpret the meaning of "auxiliary trades" and be more lavish in deciding what were the special requirements of a particular locality. There were estimated to be 80,000 or 90,000 people continually stopping for weeks at Blackpool, and that was an illustration of cases which would, in his opinion, very largely try the Commission. He therefore hoped, and it was in no unfriendly spirit that he put it, that the men who were at the head of this Commission would be chosen, as he was sure they would be, from the most suitable people, but in order to secure this they ought to be remunerated upon a scale similar to that which other professional men were receiving in so many departments of life.

MR. W. THORNE (West Ham, S.) said that if the object of the mover of the Amendment was to increase the salaries of the Commissioners he would be prepared to vote against him. If he moved it with the intention of reducing the salaries of the Commissioners he would be able to vote with him. He did not think any comparison could be drawn with Cabinet Ministers and Judges, because they had to devote many hours to their duties, starting early in the morning and sometimes working very late at night. He thought £1,200 per annum was quite sufficient for any man. The Commissioners ought to be in a position to keep themselves in decent comfort, and on this ground he was entirely opposed to paying £1,200. His friends on that side, it appeared, had turned a complete somersault in the last few minutes, because if it had been decided that the Commissioners should be paid out of the compensation fund no doubt they would have been in a position to move a reduction. But simply because the salaries were to be paid from the National Exchequer they wanted to increase the amount. If the men were worth more than £1,200 a year and had to be paid out of the compensation fund they should be worth more if they were paid out of the National Exchequer; but if they were not worth more when paid out of the compensation fund they were not worth any more if paid out of the Exchequer.

*MR. G. D. FABER supposed that what the hon. Member meant by saying they had turned a complete somersault was that if the salaries of these gentlemen had to be paid out of the compensation fund they would not be arguing that there ought to be more Commissioners with higher salaries but fewer with less. He was not aware that he had turned any somersault. He hated the Commissioners root and branch, and thought it was a wholly misconceived and mistaken idea. But they had got beyond that, and the immediate question was what salaries these gentlemen were to receive. He would be perfectly happy on £1,200 a year, but whether he would care to be called upon to discharge such onerous duties for that salary was quite another thing. The President of the Local Government Board once said that £500 a year was enough for any man, but circumstances altered cases. Comparing the salaries of public officials holding similarly responsible positions he pointed out that County Court Judges received £1,500 a year, Lunacy Commissioners £1,500, and Lunacy Visitors £2,000 a year. He himself was once offered the position of Master in Lunacy, but at the time he had not been long enough at the Bar, and consequently the lunatics were spared his attentions. That fact, however, showed that he was peculiarly qualified to keep an eye on the front Government bench. He believed the Irish Land Commissioners were paid £3,500 per annum. They ought to consider the salaries proposed to be paid to the Licensing Commissioners in relation to other salaries paid for similar services. It should moreover, be borne in mind that they were not now dealing with a permanent appointment, because the tenure was only for thirteen or fourteen years. That seemed to him to make a great difference, because it might be easier to find a better man if this were made a permanent appointment carrying a pension. But it was nothing of the kind, for at the end of the reduction period the appointments would cease. If he were offered such an appointment, the first thing he would ask after ascertaining the salary would be how long the appointment was for, and if it was only for thirteen years, and he had to give up good permanent work, he would conclude that it was not good enough. On that account the salary ought to be larger. Considering the multifarious duties they would have to perform he thought they ought to receive a salary at least as large as that of a County Court Judge.

SIR S. EVANS said that with a great deal that had fallen from the hon. Member for Barkston Ash he was entirely in sympathy. When very responsible duties were placed upon the shoulders of men, they ought to be compensated accordingly. But he assured the hon. Member for Barkston Ash that these salaries were not fixed with reference to the fund from which the money was to come. The matter had been carefully considered by the Government, and no doubt, if it were the wish of the House, the matter would be reconsidered by the Prime Minister, but the Prime Minister would also have to look at it from his position as First Lord of the Treasury. There would probably be no lack of fit and competent men at the salaries fixed. But the effect of carrying this Amendment, so far from increasing the salaries, might be that the Commissioners would receive nothing.

MR. FORSTER (Kent, Sevenoaks) said he did not agree with the Solicitor-General that the effect of this Amendment would be to deprive the Commissioners of their salaries altogether. The Committee had already decided that the expenses of the Licensing Commission were to be paid out of the moneys provided by Parliament. He thought his hon. friend had made out a good case for increasing these salaries. The duties and responsibilities of the three Commissioners would be far more arduous than those of the Railway Commissioners, and surely they ought to receive a larger salary. He hoped the Government would consent to such a salary as would enable them to get the services of first-class men.

*MR. REMNANT expressed the hope that the Amendment would be carried. He had protested against the whole Bill because, to use the words in which the Prime Minister had described the judgment of one of His Majesty's Judges, he regarded it as vicious from beginning to end. His view was that if they must have a Commission, they ought to have the best men they could possibly get. The President of the Local Government Board had stated that the highest that ought to be paid to any man for his services was £500 a year. An hon. Member below the Gangway had stated that in his view £1,200 a year was as much as any man ought to have. There was distinct progress shown in these different estimates by hon. Gentlemen who were proved to belong to the Radical and Socialist Party. He did not believe that £1,200 a year for gentlemen who were likely to be called upon to do this work was too much. They wanted men with the best brains and they had to pay the full market value for them. If they wanted to get the best men they must not hesitate to pay for them. He was sure nobody who had seriously considered the subject would disagree with that. The Commissioners would be called upon to adjudicate on a vast number of intricate technical schemes. There would probably be 993 different schemes brought before them. If the schemes were not brought before them, it would be their duty to prepare schemes themselves and compel the justices to carry them out. They were to be their own judges. The Solicitor-General denied that they would be called upon to adjudicate, but he had not answered the contention that their duties would be judicial under subsection (3) of Section 1 which said—

> "If it appears to the Licensing Commission appointed under this Act that the grant of any new licence has been confirmed in contravention of this section, they shall declare that that licence is invalid. Any excise licence granted in pursuance of a licence so declared invalid shall be void."

Under that section the duties were more than purely administrative. The gentlemen who would have to adjudicate in these matters ought not to be paid less certainly than County Court Judges. He should like to see them even more highly paid. The Committee had had a curious side-light thrown on what might influence the Government in their appointments in the last division which was solely to decide whether the political followers of the Government, or any Member of this House, should be eligible for the Commission. They knew what had taken place in the last three years since the Government had been in office. Hon Gentlemen opposite had always apparently laid great stress on the appointment of magistrates. They went so far as to call in question the conduct of the Lord Chancellor because he had not appointed sufficient Liberal and Radical magistrates.

*THE DEPUTY-CHAIRMAN: The only question here is the amount of salary.

*MR. REMNANT said that if the Government were going to appoint political partisans and supporters to these posts, the proposed salaries were far too high, but if they were going to appoint really good, experienced, and impartial men, they would have to pay largely increased sums to those proposed. The appointments made by the Government since they had been in office led to the suspicion that they would appoint those whom they believed to be political supporters.

*THE DEPUTY-CHAIRMAN: That is not the question now before the Committee.

*MR. REMNANT submitted that what he had said had a great deal to do with it. If they were going to get the best men, the salaries proposed were not big enough, but if partisans were to be appointed the salaries were too high. If partisans were to be appointed, no salaries should be paid, for if they believed hon. Gentlemen on the other side they would be only too glad to devote their time to the smashing and crushing of the liquor trade.

MR. JAMES HOPE said he wished to ask a question on a point of order, namely, whether, if this Amendment were carried, it would be competent for anyone, Minister or otherwise, to propose another subsection suggesting higher salaries for the Commissioners. This subsection ran—

> "There shall be paid to the Chairman of the Licensing Commission such salary, not exceeding twelve hundred pounds a year, and to the ordinary members of the Commission such salary not exceeding one thousand pounds a year, as the Secretary of State with the consent of the Treasury directs."

It might be argued that if that were deleted it merely meant the Committee had decided that the Chairman should not have £1,200, and that the others should not have £1,000. If the Committee voted against this subsection, did it mean that the Commissioners were not to be paid at all?

*THE DEPUTY-CHAIRMAN: If the subsection were negatived it might imply that they were not to be paid at all, so far as this Bill is concerned.

Mr. JAMES HOPE asked whether another Amendment providing for payment could not be moved.

*The DEPUTY-CHAIRMAN: If competent, it might have to come as a new clause, but in that case it might never be reached. He, however, thought it better to give no opinion on the point, as any proposal to reinstate, with increased salaries, a subsection which had been negatived or to move a new clause on the same subject, was better left to be dealt with by whoever was in the Chair when the proposal was brought forward.

Mr. JAMES HOPE said if this subsection were deleted, he was sure the Government would take care that the new clause was put down as one of their own Amendments. He would, therefore, have no hesitation in supporting the Amendment now before the Committee.

*Mr. LANE-FOX said he moved to omit the subsection without moving to insert other words—as it was not competent under the rules of the House for a private Member to move to increase a charge on the Exchequer, believing that, if it were carried, the Government would put the matter right in another section.

Mr. JAMES HOPE said he repented the opinion he had expressed that afternoon, that it might be possible to find gentlemen who would be willing to carry out these functions at the salaries indicated in the subsection. He had been converted by the Solicitor-General, because when he heard the hon. and learned Gentleman recite what the duties of the Commissioners would be he became convinced that they would have be to paid at rates higher than those proposed by the Government. The mixture of judicial and administrative duties which the Commissioners were to perform should not be entrusted to men except of first class ability, and they should be paid at first class rates. The Chairman of the National Telephone Company was paid £5,000 a year, and he did not believe that his work was more onerous than that to be imposed on the Chairman of the Commission. Under the first section of the Bill the Commissioners had judicial duties; under the second section they had to decide questions mainly judicial, though partly administrative, about the exemption of hotels in the case of new licences; and, under the sixth section, they had to undertake the duty of revising schemes and that, though no doubt largely an administrative matter, was at the same time affected by judicial considerations. Whether they looked upon the work from the administrative or the judicial point of view, there were enormous rights of property involved in the revision of schemes. A County Court Judge could not adjudicate in cases where the sum involved was over £100. When he considered the enormous powers the Licensing Commission would have he concluded there was really no comparison between the responsibilities they would undertake, and the responsibilities imposed on County Court Judges. Then the Commissioners had to be financial experts. Under Clause 9 they had to consider the effect of possible schemes of extra reduction under Welsh local option. That he should have thought would have taxed the intellect of the keenest wits at Lloyd's. Then the Commissioners had to frame a budget, and they were directed to frame it in such a way that they would be able to make their assets and liabilities balance at the end of fourteen years. That was a matter which would tax the efforts of the most expert financiers. Under Clause 13 the Commissioners were apparently to be their own auditors. That imposed another obligation on the Commissioners. They should be completely free from suspicion, because they would be entirely independent of the Auditor-General. Further, they were to decide whether a licence was extinguished on account of public improvements or not. What kind of men were efficient to discharge all those duties and to bear all those responsibilities? Obviously they must have the services of the best men and those they could not get unless they paid them the best market salary. He knew that attacks were often made on Civil servants and those who administered the law, because it was said they acted in a very unbusinesslike manner. Well, in the Civil Service did they offer the same inducements to the best men as did the world of business outside? He was afraid they did not. That arose because in order to get the best market value they did not offer the best market price. They were starting a very dangerous experiment in conferring these enormous powers on the Commission, and they could not by the operation of economic law get the best men for the salaries offered. He would vote for the Amendment.

SIR F. BANBURY said that the hon. Gentleman opposite said that they on that side of the House were inconsistent because they were now going to vote for increased salaries for these Commissioners, whereas they had before said that the salaries were too big. He had no recollection of anybody on that side of the House saying that the salaries were too high. The real point before the Committee was, could they get really good men for the salaries which the Government had put into the Bill ? He was the last man to think that they could get a good man merely by paying a large salary, although he knew that that opinion was held by many people. There could be no doubt that the salaries of the County Court Judges were larger than those offered under the Bill. Under those circumstances what would ensue ? The work put on these gentlemen would be of an extremely arduous character of a quasi-judicial nature, and they naturally wanted a lawyer for one of the posts. Could a good lawyer be got for £1,200 a year ? The hon. and learned Solicitor - General said he could, but, with all deference, he did not think so. This was not a permanent appointment; it was only for fourteen years, and he believed no pension would be carried with it. When they came to consider that these three men were going to deal with properties variously estimated at £200,000,000 to £300,000,000 value, it seemed absurd to pay them such small salaries as £1,200 and £1,000. His hon. friend said that he did not suggest that there would be corruption, though remarks had been made about the wealth of the brewers. He happened by accident to see in the *Temperance Record* that the income of the Temperance Society was £382,000, and that disposed of the argument that the temperance people were poor and utterly incapable of using money for the purpose for which unfortunately it was sometimes used. In advocating an increase of the salaries he did not for a moment go in for extravagance. But supposing they paid the Chairman £2,000 and the other gentleman £1,500 for fourteen years that would not amount to a very enormous sum when it was remembered how vast was the amount of money and how vast the interests they had to deal with. He thought the Government in their own interest would be wise to accede to the proposal, because the operation of the Bill, if it became an Act, would be followed by great criticism from every sort of person—whether teetotaller, temperance reformer or brewer—and if by any chance the Commissioners did not do their duty well the odium which would result would fall on their backs, though it was not his duty to save the Government from the effects of their mistakes. For these reasons he should support the Amendment.

*MR. HERBERT SAMUEL said he was surprised that the hon. Baronet should have taken the line he had done and had advocated higher salaries for these officers and pensions.

SIR F. BANBURY said he did not advocate pensions for the gentlemen. What he said was that they were not going to receive pensions and, therefore, higher salaries should be given on that account.

*MR. HERBERT SAMUEL said the hon. Baronet must be well aware that if any Member was chosen for the office, he himself was exceedingly likely to be mentioned for that purpose. As the self-denying ordinance proposed earlier in the evening had been rejected that eventuality became all the more possible. In the view of the Government should such an appointment be offered and accepted it would have the double advantage that the finances of the Commission would be in capable hands and that in future Government business would be expedited to an extent which hitherto had been found impossible. He should watch with interest whether the hon. Baronet went into the division lobby in favour of the Amendment seeing that he himself might be so closely concerned.

Mr. **BONAR LAW** said that in view of the alarming contingency that his hon. friend should disappear from the House and others with him they could not do better than begin at once. He thought, however, that this Amendment was a serious one if the Bill was to be treated seriously at all. The question as to the character of the Commissioners would, to a large extent, depend upon the remuneration they received. He ventured to say that they could not get a good lawyer upon the salary named in the Bill, although the Solicitor-General disputed that. He did not for a moment contend that there were not many young lawyers who would be glad of the office and would be quite ready and capable of doing the work well. One of his most intimate friends quite lately told him that he was a far better man and doing better work when he was young than he was doing now. In other words, he was living on his reputation, which many other lawyers besides him were doing. He maintained that such appointments were made on reputations which individuals had earned and not on future capacity. Judged by that test they could not possibly get good men at the salaries offered, certainly not good business men. He was certain they would not get a good business man to take the position. A business man who had been engaged in business for any length of time would not be tempted by such an emolument as this. There was another point which he thought was really a serious one, and which ought not to be left out of account. His hon. friend behind him had pointed out that Civil servants at present did not get salaries equivalent to those which men of the same ability would get outside. They all knew that was true, but they obtained rewards in another direction and were either paid in malt or in meal. A man could be paid either in money or in social position, and our Civil servants undoubtedly enjoyed a social *status* far higher than they would have if they were in business and received two or three times the salary they did. He did not think that would apply to the Commissioners, because their position was not a permanent one, or one which could be looked upon as a life position. He agreed that the best way to get a good man was not by any means to pay a good salary. Boards of directors, he knew, jumped at the conclusion that if they offered a good salary they got a good man, but that was not true. One must use great discrimination, but this was certain, that unless they gave a remuneration which was comparable to the rewards in other professions they would not get men who were fit to discharge the duties of Commissioners under this Bill. If the Government meant business and intended to appoint a Commission in which the public would have confidence, they should appoint one which would have a higher remuneration than that given in this Bill.

*Mr. **REES** (Montgomery Boroughs) said that all the zeal of the hon. Baronet the Member for the City of London for economy had gone by the board and as his own appointment was on the cards he seemed to be in favour of as high a salary as possible. In all seriousness the hon. Baronet said that it had been represented that the temperance party was a poor one, but he believed that if any people saved any money, it would be those who, at every meal, saved half of the cost by not having wine.

Sir F. **BANBURY** said the hon. Member was mistaken. The statement that the temperance party had no money was made by an hon. Member on his own side of the House. He thought they had money.

*Mr. **REES** said in that case he agreed. The hon. Baronet also represented that they were generally incapable, but that was not so. The epithet incapable was generally used with another, which was quite inappropriate to temperance folk. For these reasons he disagreed with the views of the hon. Baronet. Then the hon. Baronet said that barristers and lawyers appointed to these offices would exercise quasi-judicial functions. So far as the attitude of their minds should be judicial, that was true, but that was not a thing which they had to pay for so highly. If by quasi-judicial functions the hon. Baronet meant that the Commissioners would have to display a knowledge of the law and to possess high legal acumen, he said that was not required, and in that sense high judicial qualities were not wanted by these Commissioners. The hon. Member for Dulwich practically pointed out that the best lawyers they had were paid at the rate of £1,200 a year, and that they got worse and worse when they received later in life large salaries, and lived upon their reputations. For himself he thought that a very good lawyer could be got for £1,200 a year for the public service.

Mr. JAMES HOPE said he did not gather from his graduated scale at what the hon. Member would appraise the proper salary of Law Officers.

*Mr. REES said that if his hon. friend wished him to express in any terms the value of his hon. and learned friend the Solicitor-General, he should be quite unable to do so. He thought his services were beyond price. If he desired him to institute a graduated scale he asked him to perform a task for which he was not fitted. It was not a question of Law Officers of the Crown, but of Licensing Commissioners.

Mr. JAMES HOPE observed that the hon. Member had said that good lawyers obtained £1,200 a year, but as they rose in their profession, their value became less. He wished to know what they were worth when they were law officers. Was the figure about £250?

*Mr. REES said he was simply referring to an argument of the hon. Member for Dulwich, but he did not say he adopted it. He was going to point out that certain arguments that had been used by hon. and right hon. Gentlemen opposite were mutually destructive, but he did not adopt them. He did say, however, that lawyers often occupied judicial positions all through the British Empire, in some cases that of Chief Justice, for something very like £1,200 a year. On the question of whether the money would be forth-coming to pay higher salaries he understood from hon. Gentlemen opposite that there was to be a difficulty about making both ends meet. He believed for himself however that there would be no difficulty whatever in getting Commissioners at the figure in the Bill, and he thought that everybody would agree that they could get three competent gentlemen for £1,200 and £1,000 apiece. Then the hon. Member for Dulwich said they had to take the standard of the salaries paid in the Civil Service and that although that might be relatively lower, the social *status* which these servants possessed made up for the difference. There was no profession, however, which gave such an undoubted social *status*, and which was one of the highest to be connected with, directly or indirectly, as the brewing trade. He could quite easily prove that there was no class of persons who had greater social *status*, greater rank and position than those connected with the brewing trade, and these gentlemen, the Commissioners, would be indirectly connected with it. He did not think they should be paid more because their *status* was lower than that of servants of the Crown. Upon the whole, having reviewed briefly the arguments that had been presented by hon. Members opposite, he had to submit that if this Commission was to be set up the salaries proposed by the Government were quite sufficient.

Mr. W. THORNE called the attention of the Chairman, as a point of order, to the fact that there were some ladies in the Ladies' Gallery.

The DEPUTY-CHAIRMAN (Mr. Caldwell, Lanarkshire, Mid) took no notice of the interruption.

Mr. RAWLINSON said he thoroughly agreed with the contention that certainly this was not the time to add any burden to the national *ménage*, in the way of a number of salaried officials. It was for that reason he objected to this clause, and the appointment of a paid Commission of this sort. But if the Government once insisted upon having such a Commission, with all the expense, it was very bad economy to save a few pence. What, he asked, had these people to do? They had to be constituted as a court of appeal from every licensing bench in the country, and the decisions of the magistrates were to be overruled by this extraordinary tribunal. The justices in other words were to be overruled by Civil servants who, from a financial standpoint, were in an inferior position to that of a County Court Judge. Did the Government seriously contemplate setting up a tribunal which was to be a court of appeal upon such a salary as this? Then again, look at the large interests they had to control. The question of whether a particular hotel was to retain its licence involved sometimes many thousands of pounds, and the decisions of these Commissioners upon that sort of question was to be absolutely without any sort of appeal. Was it so unimportant whether the Government obtained the proper type of men for this position? The Under-Secretary, in a very chaffing and amusing speech, suggested the appointment of the hon. Baronet the Member for the City of London, who was an excellent business man; but that only showed, as he had pointed out the night before, that the Government did not appoint members of a Licensing Commission as they did a Judge, knowing that the eyes of the profession were upon him and them and that there were safeguards about the position. But there was generally some little *arrière pensée* at the back of the mind of the Government, as was shown by the Under-Secretary stating that they were going to appoint the hon. Member for the City, because he was the very best man and they would be able to get business through more rapidly if he went. That showed that other things besides suitability might enter into the matter, and that a post might be given because of private advantage to a Party. There were different ways of paying men, and, as had been pointed out, in addition to money there might also be social *status*. The question was whether they were going to make these men dependent upon the Government and upon the off chance of getting something more when their duties finished. They were not to be given any fixity of tenure, which was a degrading position for those who had to perform judicial duties of this kind. It was no defence for giving them an inadequate salary, because they might hope to get some social *status*. That was thoroughly bad. He had always objected to this Commission, as he thought they should not go on adding to the number of salaried officers every year. It was a bad time to do this, but if the Government intended to carry it out, let the people responsible for this work be paid a salary so that they could be independent of the Government, and be in a position to inspire confidence amongst those whose decisions they would have to overrule, and amongst those whose property they would have to deal with in every part of the Kingdom. These people should be of the highest capacity and character, and though he thought he knew one or two men who were fitted for this work he was not sure whether the House would agree with him in the matter.

Question put.

The Committee divided:—Ayes, 223; Noes, 63. (Division List No. 306.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Agar-Robartes, Hon. T. C. R.
Agnew, George William
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Armstrong, W. C. Heaton
Astbury, John Meir
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Barker, John
Barlow, Sir John E. (Somerset)
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Beale, W. P.
Beck, A. Cecil
Bethell, Sir J. H. (Essex, Romf'rd
Bethell, T. R. (Essex, Maldon)
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Bryce, J. Annan
Buckmaster, Stanley O.
Burt, Rt. Hon. Thomas
Cameron, Robert
Channing, Sir Francis Allston
Cheetham, John Frederick
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Sir Wm. J. (S. Pancras, W.
Corbett, C. H (Sussex, E. Grinst'd
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crooks, William
Crossley, William J.
Davies, M. Vaughan-(Cardigan)
Davies, Sir W. Howell (Bristol, S.
Dewar, Arthur (Edinburgh, S.)
Dilke, Rt. Hon. Sir Charles
Dobson, Thomas W.
Duckworth, James
Duncan, C. (Barrow-in-Furness)
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Sir Francis (Radnor)
Erskine, David C.
Essex, R. W.

Esslemont, George Birnie
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Findlay, Alexander
Foster, Rt. Hon. Sir Walter
Fuller, John Michael F.
Furness, Sir Christopher
Gill, A. H.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Hall, Frederick
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey, W. E. (Derbyshire, N.E.
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hazel, Dr. A. E.
Hedges, A. Paget
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hodge, John
Holt, Richard Durning
Hooper, A. G.
Hope, W. Bateman (Somerset, N.
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Jackson, R. S.
Jacoby, Sir James Alfred
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Sir D. Brynmor (Swansea)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire)
Jowett, F. W.
Kekewich, Sir George
Kelley, George D.
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Layland-Barratt, Sir Francis
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich)

Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Macdonald, J. R. (Leicester)
Maclean, Donald
Macnamara, Dr. Thomas J.
M'Callum, John M.
M'Crae, Sir George
M'Laren, H. D. (Stafford, W.)
Maddison, Frederick
Mallet, Charles E.
Markham, Arthur Basil
Marks, G. Croydon (Launceston)
Marnham, F. J.
Massie, J.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Money, L. G. Chiozza
Montagu, Hon. E. S.
Morgan, J. Lloyd (Carmarthen)
Morse, L. L.
Morton, Alpheus Cleophas
Murray, Capt. Hn A. C. (Kincard.
Myer, Horatio
Nicholson, Charles N. (Doncast'r
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Kendal (Tipperary, Mid
O'Donnell, C. J. (Walworth)
Parker, James (Halifax)
Partington, Oswald
Pearce, William (Limehouse)
Pickersgill, Edward Hare
Price, C. E. (Edinb'gh, Central)
Radford, G. H.
Rainy, A. Rolland
Rasch, Sir Frederic Carne
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro')
Rees, J. D.
Richards, Thomas (W. Monm'th)
Richards, T. F. (Wolverh'mpt'n)
Risdale, E. A.
Roberts, Charles H. (Lincoln
Roberts, G. H. (Norwich)
Roberts, Sir John H. (Denbighs.)
Robertson, Sir G. Scott (Bradf'rd
Robinson, S.
Roe, Sir Thomas
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)

Samuel, S. M. (Whitechapel)
Schwann, C. Duncan (Hyde)
Schwann, Sir C. E. (Manchester)
Scott, A. H. (Ashton under Lyne)
Sears, J. E.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick, B.)
Silcock, Thomas Ball
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanley, Albert (Staffs, N.W.)
Stewart, Halley (Greenock)
Strachey, Sir Edward
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Thomas, Sir A. (Glamorgan, E.)
Thomas, David Alfred (Merthyr)
Thompson, J. W. H. (Somerset, E
Thorne, G. R. (Wolverhampton)
Thorne, William (West Ham)
Tomkinson, James
Torrance, Sir A. M.
Toulmin, George
Verney, F. W.
Villiers, Ernest Amherst
Walker, H. De R. (Leicester)
Walton, Joseph
Ward, John (Stoke upon Trent)
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Watt, Henry A.
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker, Rt. Hn. Sir Thomas P.
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Llewelyn (Carm'rth'n)
Williamson, A.
Wills, Arthur Walters
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, J. W. (Worcestersh. N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE AYES, Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood, Rt Hn. Sir Alex. F.
Ashley, W. W.
Balcarres, Lord
Baldwin, Stanley
Banbury, Sir Frederick George
Beach, Hn. Michael Hugh Hicks
Bignold, Sir Arthur
Butcher, Samuel Henry
Carlile, E. Hildred
Cave, George
Cecil, Evelyn (Aston Manor)
Clark, George Smith

Coates, Major E. F. (Lewisham)
Collings, Rt. Hn. J. (Birmingh'm)
Courthope, G. Loyd
Craik, Sir Henry
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Duncan, Robt. (Lanark, Govan)
Faber, George Denison (York)
Faber, Capt. W. V. (Hants, W.)
Fell, Arthur
Fletcher, J. S.

Forster, Henry William
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Goulding, Edward Alfred
Gretton, John
Guinness, Hon. R. (Haggerston)
Guinness, W. E. (Bury S. Edm.)
Halpin, J.
Hamilton, Marquess of
Hardy, Laurence (Kent, Ashf'rd)
Hill, Sir Clement
Hills, J. W.

Hope, James Fitzalan (Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Law, Andrew Bonar (Dulwich)
MacCaw, William J. MacGeagh
M'Arthur, Charles
Marks, H. H. (Kent)
Nield, Herbert
Oddy, John James
Powell, Sir Francis Sharp
Ratcliff, Major R. F.
Remnant, James Farquharson
Renton, Leslie
Roberts, S. (Sheffield, Ecclesall)
Ropner, Colonel Sir Robert
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Stanier, Beville
Talbot, Lord E. (Chichester)
Valentia, Viscount
Walker, Col. W. H. (Lancashire)
Walrond, Hon. Lionel
Warde, Col. C. E. (Kent, Mid)
White, Patrick (Meath, North)
Williams, Col. R. (Dorset, W.)
Young, Samuel

Tellers for the Noes, Mr. Lane-Fox and Mr. Rawlinson.

Mr. SAMUEL ROBERTS said the Amendment he now moved would make it obligatory upon the Licensing Commission to appoint a secretary who should be a barrister or a solicitor experienced in licensing law. At present there was no obligation to appoint a secretary at all. Earlier in the afternoon he had ventured to move an Amendment that one of the Commissioners should be learned in licensing law. That was resisted by the Solicitor-General, but having regard to the expression of willingness by the hon. and learned Gentleman to accept reasonable Amendments he hoped he would not resist this Amendment. Under the Act for the establishing of the Lunacy Commission they were bound to have a barrister of seven years standing who should be established as a Civil servant of the State. It was that precedent he wished the Government to follow. There were many matters connected with this Licensing Commission upon which it would be necessary for them, if they had not a secretary of legal experience, to consult a legal adviser which would entail great expense on the country, but if they had a secretary of legal experience the expense would be largely covered by his salary. He begged to move.

Amendment proposed—

"In page 9, line 20, to leave out the word 'may' and to insert the word 'shall.'"—(*Mr. Samuel Roberts.*)

Question proposed, "That the word 'way' stand part of the clause.'"

Sir S. EVANS resisted the Amendment on the grounds, first, that it would tie the hands of the Commission, and, secondly, that there was nothing in the Bill to prevent them appointing a secretary who would answer to the description mentioned in the Amendment if they wished to do so. Further than that, he did not think a close acquaintance with the licensing law was at all necessary. It was said by the right hon. Gentleman the Leader of the Opposition that a knowledge of past licensing law was not necessary for the administration of this Bill. It was not in the least degree necessary that any of the three Commissioners should have any knowledge of the licensing law in order to approve or not of schemes submitted to them by the licensing justices. He was not decrying the advisability of everybody having some knowledge of the law, or saying that the members of the Commission should not have a knowledge of the licensing law, but it was not necessary, because, in so far as any knowledge of the law was necessary, there was nothing to prevent them from appointing as their secretary a barrister or a solicitor answering to the description of the hon. Member. The main objection to the Amendment was that it would tie the hands of the Commission with reference to the appointment of a secretary. The hon. Member had referred to the case of the Lunacy Commission, but they had to deal with all sorts of questions where it was advisable and even essential that they should have the advantage of legal knowledge. On the other hand, there was the case of the Railway and Canal Commission, a body which had rights dealing with property under the Board of Trade. There was nothing in the Act which made it necessary for that Commission to appoint any secretary. If they had appointed one, he had no doubt they had appointed a man quite capable of filling the office. The Commission would for their own sakes take into consideration the suggestion in the Amendment, but it would not be right to hamper them at all.

Mr. CLAVELL SALTER (Hampshire, Basingstoke) regarded the Amendment as an obviously reasonable one. The Committee differed on a good many points, but there was one point on which they could all agree. The licensing law was somewhat complicated and intricate, and it would be the function of this Commission, which would occupy a position of such great authority and responsibility, to administer that law from day to day. He therefore ventured to suggest that the Commission must have upon it some very competent legal element or it must have daily and almost hourly recourse to competent legal advice. An attempt had been made to ensure that one of the three Commissioners should be an accomplished lawyer. That would have been a very desirable course, but it was not accepted by the Committee, and the Commission ran the risk if the Amendment were not accepted of being without any permanent legal assistance or they would have to have constant recourse to outside legal advice. He did not agree with the Solicitor-General that this Commission, having no lawyer upon it and conscious of its limitations, would be ready to take legal advice. His experience was that the more ignorant, the more self-satisfied people were. He thought, therefore, it was extremely probable that they would have three self-satisfied laymen, knowing nothing of the licensing laws which it was their business to carry out, but imagining they knew all about it, who would carry out their important work without any trained legal assistance. For these reasons, he thought the suggestion of his hon. friend highly reasonable, and that it should be made obligatory upon the Commission to appoint a legal secretary.

MR. NUSSEY (Pontefract) thought it was beyond controversy that the Commissioners would have to act in a *quasi*-judicial capacity on many matters of importance. They might, however, be appointed entirely from lay members of the community and they might elect a lay secretary. If any legal point arose for their determination, and they required legal advice, to whom would they apply? Would they be able to apply to the law officers or to the Home Secretary, or where would they get the advice? In some cases, at any rate, it might be necessary for them to have legal advice to enable them to discharge their difficult duties.

MR. CARLILE (Hertfordshire, St. Albans) said there were two principles in connection with the work of the Commission which rendered it highly desirable that the Amendment should be adopted. It was, in the first place, essential that the decisions of the Commission should be consistent. If they had no secretary with a knowledge of the licensing laws beyond the anomalies contained in this Bill, then they would have to have advice from outside. It might come from many sources and it might consequently be wholly inconsistent. Then it was equally important that there should be continuity of policy, which would be almost certainly wanting if casual and outside advice were obtained from time to time as questions arose. There should be some person attached to the Commission who would know what their decision had been and who would therefore be able and qualified to see that continuity of policy was maintained. If there was to be that public confidence which alone could make the Act work successfully, then the decisions of the Commission must be consistent and there must be continuity of policy. He should therefore support the Amendment if his hon. friend went to a division.

MR. COURTHOPE said there was one point which he wished to press upon the attention of the Solicitor-General. In how many cases out of the 993 schemes which would be sent up to the Commission did he imagine there would be proposals which would be *ultra vires*, or of a character going beyond the provisions of the Licensing Bill? Surely the Solicitor-General had sufficient knowledge of human nature to be quite convinced that a large number—not necessarily a large proportion—of items contained in these schemes would be illegal in some way or other. It would be in the public interest that there should be somebody on the Commission or working in connection with it able to detect these illegalities at once. He did not think that in every case the licensing justices or even their clerks could be absolutely relied on to see that there was nothing that went beyond the law. There should, therefore, be attached to the Commission, somebody with the legal knowledge calculated to ensure that difficulties of the kind should not arise.

SIR S. EVANS said he could not conceive that there would be any cases where the schemes would be *ultra vires*, or where there would be any difficulty on the part of the Commissioners in dealing with them; and, even if, here and there, there should be a case where the justices had not taken proper care or legal advice, he could not conceive that the Commission, whatever its *personnel* might be, would not be able to detect it. If they had any legal difficulty, they would be able to go to the Home Secretary, who would be able to consult the law officers. It might very possibly be that one Commissioner would be a lawyer himself, and if the Commission thought it advisable they could of their own free will appoint a lawyer as secretary. It was merely because they did not think it desirable to compel them to appoint a secretary that they could not accept the Amendment.

Amendment negatived.

SIR S. EVANS said it was agreed on all sides of the House that the remuneration was to be payable out of moneys provided by Parliament in order that Parliament might have a right to review the proceedings of the Commissioners. This had been done in pursuance of a pledge given as far back as March last by the Prime Minister. He therefore moved the Amendment of which he had given notice.

Amendment proposed—

"In page 9, line 26, at the beginning, to insert the words 'The remuneration and expenses of the Licensing Commission shall be paid out of moneys provided by Parliament, and.'"—(*Mr. Solicitor-General.*)

Amendment agreed to.

MR. JAMES HOPE moved the insertion of the words, "Every decision of the Licensing Commission shall be subject to an appeal by any person affected to the King's Bench Division, on the grounds of a biassed or unreasonable exercise of their powers under this Act." He said the powers of the Commissioners were vast and affected very large interests; there were very large questions as between man and man and between one interest and another, as to which was to be affected, and which was not, which was to suffer and which was to survive. Apart from that there were various nice questions of a judicial or semi-judicial character to be determined. It was not right or fair to give these enormous powers to a set of men without an appeal. Of course, there was the Parliamentary appeal, but they knew how little that was worth—a Parliamentary appeal which could perhaps only be exercised once a year. A number of conflicting cases came forward; it was quite impossible to form anything like an impartial view of even the most important, and in the end the thing was debated and decided on party lines. There ought to be some judicial appeal from the irresponsible judgment of the Commissioners. He did not think there ought to be an appeal in their purely discretionary office. He did not suppose they would find a body able to sit in judgment on their wisdom or as to the expediency of their policy, but on the two grounds of bias and unreasonable exercise an appeal ought to lie. He hoped and trusted that the Commissioners would be men without bias, but such men were very difficult to find in this world. Even with the best intention there was often a latent bias which revealed itself when the moment of action came. When they came to unreasonable exercise, he admitted he was rather influenced by the provision of Section 6 that the schemes should provide for the statutory reduction being distributed reasonably over the reduction period. Who was to be the judge of "reasonably"? Nobody but the Licensing Commissioners. Once they decided that a scheme was reasonable it must be held to be reasonable, yet if they held it to be reasonable a quite excessive reduction might take place within the first few years with very serious financial results to those affected by the compensation levy. There was an enormous interest involved, and it all depended on the construction of the word "reasonably." These three gentlemen ought not to be the sole and final judges of the meaning of the word "reasonably." He trusted the Government would see that it was not fair and safe to entrust this enormous weight of work, involving both big questions of policy and nice questions of law, to the sole judgment of these three. In other cases there was a series of appeals up to the highest Court of the realm, and there ought to be at least one here. His legal friends told him that it was an innovation to make bias a ground of appeal, but the whole Licensing Commission was a grave innovation on the rights and property of His Majesty's subjects, and some change in the ordinary legal procedure might be requisite to meet it.

Amendment proposed—

"In page 10, line 2, at end, to add the words '(10) Every decision of the Licensing Commission shall be subject to an appeal by any person affected to the King's Bench Division on the ground of a biassed or unreasonable exercise of their powers under this Act.' "—(*Mr. James Hope.*)

Question proposed, "That those words be there added."

*MR. CLAVELL SALTER expressed surprise that the Solicitor-General had not replied to the Amendment. He would have thought that a lawyer of his eminence would have had something to say on this Amendment, and would have experienced some difficulty in finding anything to say against the proposal. If the Amendment were carried the Government would be taking a real step towards reconciling the moderate opinion of the country to the Act. Of the many features that were regarded with dislike and distrust, that which excited the greatest dislike and distrust, perhaps not altogether reasonable, but very strongly felt, was that these enormous and novel powers should be vested in this new body of three, not sitting in the localities, but stretching out a long and very powerful arm from London. The Under-Secretary for the Home Department had asked—Why should they not be three in number, why should they not be paid, and where else should they sit except in London? But he believed people did not like the idea, for all that there was an air of reason about it. Their functions were of enormous importance, and they would control and affect enormous pecuniary interests. It seemed strange that anyone who considered himself wronged of 2d. could go to the House of Lords, whereas in this case the vast interests dealt with had no right of appeal. He did not think much of the point, but it might be that there was some novelty in giving the High Court an appeal on the question of reason. He imagined large interests went to the High Court of Justice every day, to the Railway and Canal Commissioners, upon questions whether railway rates, and so forth, were reasonable in amount, which was certainly very analogous to the functions proposed to be entrusted in this matter. This was very different from a proposal to give a general right of appeal. The onus would lie upon the aggrieved person. They need not very seriously consider bias. It was not likely to be proved. The point was unreasonableness, and the applicant would fail unless he could establish to the satisfaction of the Court, not merely that it was a decision which they should not have arrived at, but that it was unreasonable, which was a very difficult thing to prove. This Commission was not trusted in the country, and there was a great dislike to giving one man a right to exercise power over another, especially in large matters, without any right of appeal to a higher authority. On the other hand, if there was an institution in this country which was trusted it was the High Court, and he believed if the Commissioners were placed to this extent under its jurisdiction a considerable amount of the feeling which existed against the Bill would be greatly modified.

MR. WYNDHAM (Dover) said he was sure the Solicitor-General had refrained from enlightening the Committee on the Amendment, because he thought in all sincerity it had no great substantive importance. He would especially direct his attention to the bearing upon this question which he thought was to be found in the short speech he had made on the last Amendment. He had said that the expenses of the Licensing Commission were to be borne out of Votes passed in the House, and that that was in pursuance of a promise made in March. The reason given for the promise was that the House, since it voted the money, should have the power of criticising the action of these Commissioners. That was to say that in making that promise, and in fulfilling it, the Government recognised that the Licensing Commission was a judicial tribunal. But it would be also an administrative body. He had had some experience in connection with Ireland of bodies set up by the House, who exercised a judicious blend of judicial and administrative functions, and it had been a matter of debate ever since he had been in the House whether any such body was acting in a particular case in its administrative or in its judicial capacity. There were two well-known avenues of redress. If a judicial body failed to give satisfaction to any person, he had an appeal to the law, and if an administrative officer failed to give satisfaction to any person in the exercise of his duty or was held to have inflicted wrong or damage upon any of His Majesty's subjects, his conduct could be reviewed in that House. When they created a body with both judicial and administrative powers, if any of His Majesty's lieges felt aggrieved and complained they would be told that it was a mere administrative Act, and they ought to bring up their case before Parliament; and if some hon. Member brought their case before Parliament the Minister would probably reply, "You forget that this body is judicial and your remedy is to go to a Court of law." It would be far simpler to put into the Bill some kind of appeal upon certain limited grounds. Whether the ground should be limited to biassed or unreasonable action they could consider later. There ought to be an appeal, and this was necessary if this body was to be held to account either in a Court of law or in the House of Commons. The Government would probably reply that this concession might open up a large field of litigation, but he did not think it would. The persons interested in the trade were subject under its provisions to so many occasions for finding money that he did not think they would go out of their way to spend more money upon a number of fictitious appeals. What might happen was that appeals would be heard and some definition would follow from the judgment in the King's Bench as to what were the judicial functions of this Commission. After a case had been carried to the

House of Lords it would put an end to a great deal of unredressed injury to a number of their fellow-subjects.

*MR. JESSE COLLINGS asked what the Solicitor-General, as a common-sense man, would say if he were called upon to assure an audience in Wales that this proposal was a just one. He would have to tell his audience that the Licensing Commission controlled practically between £1,000,000 and £2,000,000 of other people's property. They possessed almost absolute control, because the safeguard named about the review in Parliament amounted to nothing. The debate in Parliament might never come on, and even if it did they could only criticise. The other safeguard mentioned was that the Commissioners had to report to Parliament, but that was in regard to work done. The Commissioners had almost unlimited power to make levies to any extent. The Solicitor-General said the schedule was a check, but it was no check whatever. If the Government really thought that the schedule was a check on the Commissioners in making the levies why did the Solicitor-General reject the Amendment of the hon. Member for Kingston which sought to make the schedule of that nature? Supposing the licensing justices prepared in a locality a scheme for so many public-houses to be closed. Being local men they would be the best people to ensure that the scheme would be a fair one. The scheme would be sent on to the Licensing Commissioners who could tear it up if they liked. If the Commissioners, instead of adopting the scheme of the licensing justices, decided to impose another scheme they had power to do it, and they would be doing a grave injustice to that locality. Surely there ought to be a right of appeal on the part of those aggrieved. It was very unjust that this right of appeal from the decisions of an autocratic body of Commissioners in London, who had powers over such vast amounts of property, should be refused. After all, there was amongst the people of this country a love of justice and fair-play. Suppose this appeal did create litigation, that was better than injustice. Under this clause, whatever injustice was done, the people affected were refused the Englishman's right of appealing to a higher authority.

SIR S. EVANS replied that he had no doubt he would be able to persuade a public meeting that the Government proposal was just. The Committee had decided there should be no appeal against the decision of the justices as to the reduction of licences within the statutory number, but there was a right of appeal against refusal to renew under Section 4, and no right of appeal that now existed would be taken away. There would be no appeal against the scheme of the justices, and the Commissioners receiving it would consult the justices upon any modification they might desire to make. There was no reason for an appeal against their action, which would be that of an administrative, not a judicial body, though in the performance of their duties they would act judicially.

MR. WYNDHAM said that what he asked was whether this body would exercise certain judicial functions, and he understood the Solicitor-General to assent.

SIR S. EVANS replied that they were an administrative body, but no doubt in the performance of their duties they would act judicially. He had never said they were a judicial tribunal, and he challenged the right hon. Gentleman to point out a thing they had to do which could be characterised as the act of a judicial tribunal.

Mr. WYNDHAM: All administrative actions are subject to review in this House. Will the actions of the Commissioners be subject to review?

Sir S. EVANS: Most certainly. He thought that had been made perfectly clear. The hon. Member for Basingstoke had said that if the Government would accept the Amendment they would go far to reconcile moderate opinion in the country, but he did not say whether it would reconcile his opinion which was diametrically opposed to that of the Government. The words proposed in the Amendment were very unhappy. Supposing the scheme affected a hundred houses, was each one of those houses to have an appeal? To whom? Was it to be to the King's Bench, and, if so, was it to be to one Judge or a divisional Court? What could the Judges know of the local circumstances affecting the scheme prepared by the local justices? It had been said that everybody who was affected to the extent of 2d. had a right of appeal to the House of Lords. That was totally inaccurate, and it was calculated to mislead those to whom it was addressed. Let him make an appeal to lawyers on the other side of the House. Could anybody cite a precedent for the kind of appeal proposed in this Amendment? No appeal had ever been allowed upon a question of fact; and no question of law could arise in the decisions of the Commissioners. Moreover, there was no case in which Parliament had provided an appeal from the "biassed or unreasonable" decision of any Court it had ever set up. He was convinced there was absolutely no necessity for giving an appeal, and certainly he objected most strongly to the grounds given in the Amendment for asking for an appeal.

Mr. BONAR LAW said the Solicitor-General began by saying that he would put before the Committee the arguments which he would be prepared to put before a public meeting. It depended upon the kind of public meeting what effect the arguments would have, but if it consisted of people who examined his arguments, he would wish that he had not addressed them at all. The licensing justices could, if they chose, make themselves the assistants of the assistants of the Commissioners, but if the Committee brought the matter down to hard fact, they would find that the justices had absolutely no power of any kind under the Bill. If they prepared a scheme, the Commissioners might alter it, and there was no appeal from them. If the justices did not prepare a scheme, the Commissioners might prepare one and override them entirely. The Commissioners were to act as judge and jury, and the only power left to the justices was that of acting as executioners. If the justices declined to act in that capacity, this precious Commission would take upon themselves the duty of executioners as well. The hon. and learned Gentleman had said that there was no instance in law of an appeal except on a question of law, and that here no question of law could be raised. Let the Committee consider what the conditions were. This was a tribunal which, under the powers given to them by the Bill, whether they were judicial or administrative, involved the interests of men in large sums of money, and though its decisions were to be given in secret and without hearing the parties concerned, yet no appeal was to be allowed. It would be an absurd injustice that these great interests should be taken away by men receiving £1,000 a year, and without any right of appeal. The word "democracy" had been used very frequently in this House of Commons. He used to think that one of the essences of democracy was decentralisation. But what was the essence of this Bill? In every way the Government had concentrated power in a few hands. The Government were acting in this matter as they had acted in everything else. They had taken the power away from the House of Commons and put it in Downing Street. Seldom had a big Bill like this been piloted through the House without a Minister being in attendance. The Prime Minister set up the guillotine and then left.

MR. LEIF JONES (Westmoreland, Appleby) asked whether the hon. Member was in order in discussing the guillotine on this Amendment.

*THE CHAIRMAN: He is only in order in discussing this Amendment which applies to the question of an appeal from the Commission.

MR. BONAR LAW said the fact that the Committee had had no opportunity of discussing this question was an additional reason why there should be some right of appeal from the arbitrary decision of this centralised dictatorship which the Government were setting up.

Question put.

The Committee divided:—Ayes, 98; Noes, 292. (Division List No. 307.)

AYES.

Acland-Hood, Rt Hn. Sir Alex. F
Ashley, W. W.
Aubrey-Fletcher, Rt. Hon. Sir H.
Balcarres, Lord
Baldwin, Stanley
Balfour, Rt Hn. A. J. (City Lond)
Banbury, Sir Frederick George
Barnard, E. B.
Beach, Hn. Michael Hugh Hicks
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bowles, G. Stewart
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edward H.
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Clark, George Smith
Coates, Major E. F. (Lewisham
Cochrane, Hon. Thos. H. A. E.
Collings, Rt. Hn. J. (Birmingh'm
Courthope, G. Loyd
Craik, Sir Henry
Dixon-Hartland, Sir Fred Dixon
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Duncan, Robert (Lanark, Govan
Faber, Capt. W. V. (Hants, W.)
Fardell, Sir T. George
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Gooch, Henry Cubitt (Peckham)
Goulding, Edward Alfred
Gretton, John
Guinness, Hon. R. (Haggerston)
Guinness, W. E. (Bury S. Edm.)
Hamilton, Marquess of
Hardy, Laurence (Kent, Ashford
Harrison-Broadley, H. B.
Hay, Hon. Claude George
Hill, Sir Clement
Hills, J. W.
Houston, Robert Paterson
Hunt, Rowland
Kerry, Earl of
Keswick, William
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Lee, Arthur H. (Hants, Fareham
Long, Col. Charles W. (Evesham
Lonsdale, John Brownlee
Lowe, Sir Francis William
MacCaw, William J. MacGeagh
M'Arthur, Charles
Magnus, Sir Philip
Marks, H. H. (Kent)
Mildmay, Francis Bingham
Morpeth, Viscount
Nield, Herbert
O'Brien, Kendal (Tipperary Mid
Oddy, John James
Parkes, Ebenezer
Pease, Herbert Pike (Darlington)
Percy, Earl
Powell, Sir Francis Sharp
Rasch, Sir Frederic Carne

Ratcliff, Major R. F.
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Roberts, S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Ropner, Colonel Sir Robert
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Sassoon, Sir Edward Albert
Scott, Sir S. (Marylebone, W.)
Smith, Hon. W. F. D. (Strand)
Stanier, Beville
Staveley-Hill, Henry (Staff'sh.)
Strauss, E. A. (Abingdon)
Talbot, Lord E. (Chichester)
Talbot, Rt. Hn. J. G. (Oxf'd Univ.
Thorne, William (West Ham)
Valentia, Viscount
Walker, Col. W. H. (Lancashire)
Walrond, Hon. Lionel
Warde, Col. C. E. (Kent, Mid)
White, Patrick (Meath, North)
Williams, Col. R. (Dorset, W.)
Wyndham, Rt. Hon. George
Young, Samuel

Tellers for the Ayes—Mr. James Hope and Mr. George D. Faber.

NOES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Agar-Robartes, Hon. T. C. R.
Agnew, George William
Ainsworth, John Stirling
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Asquith, Rt. Hon. Herbert Henry
Astbury, John Meir
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert
Barker, John
Barlow, Sir John E. (Somerset)
Barlow, Percy (Bedford)
Barnes, G. N.
Beale, W. P.
Beauchamp, E.
Beaumont, Hon. Hubert
Beck, A. Cecil
Bellairs, Carlyon
Bethell, Sir J. H. (Essex, Romf'rd
Bethell, T. R. (Essex, Maldon)
Birrell, Rt. Hon. Augustine
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Bryce, J. Annan
Buckmaster, Stanley O.
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Causton, Rt. Hn. Richard Knight
Chance, Frederick William
Channing, Sir Francis Allston
Cheetham, John Frederick
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Sir Wm. J. (S. Pancras, W.
Compton-Rickett, Sir J.
Corbett, CH. (Sussex, E. Grinst'd
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crooks, William
Crosfield, A. H.
Crossley, William J.
Dalmeny, Lord
Dalziel, James Henry
Davies, M. Vaughan-(Cardigan
Davies, Timothy (Fulham)
Davies, Sir W. Howell (Bristol, S.
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras, N)
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dobson, Thomas W.
Duckworth, James
Duncan, C. (Barrow-in-Furness
Dunne, Major E. Martin (Walsall
Edwards, Enoch (Hanley)
Edwards, Sir Francis (Radnor)
Erskine, David C.
Essex, R. W.
Esslemont, George Birnie
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Findlay, Alexander
Foster, Rt. Hon. Sir Walter
Fuller, John Michael F.
Furness, Sir Christopher
Gibb, James (Harrow)
Gill, A. H.
Gladstone, Rt. Hn. Herbert John
Glen-Coats, Sir T. (Renfrew, W.)
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Gulland, John W.
Gurdon, Rt Hn. Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Harmsworth, R. L. (Caithn'ss-sh
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey, W. E. (Derbyshire, N.E.
Harwood, George
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hazel, Dr. A. E.
Hedges, A. Paget
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobhouse, Charles E. H.
Hodge, John
Holt, Richard Durning
Hooper, A. G.
Hope, W. Bateman (Somerset, N
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, Sir James Alfred
Jardine, Sir J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Sir D. Brynmor (Swansea
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewick, Sir George
Kelley, George D.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Layland-Barratt, Sir Francis
Leese, Joseph Sir F. (Accrington
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Rt. Hon. Thomas
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
M'Callum, John M.
M'Crae, Sir George
M'Laren, Sir C. B. (Leicester)

M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Markham, Arthur Basil
Marks, G. Croydon (Launceston)
Marnham, F. J.
Massie, J.
Masterman, C. F. G.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murray, Capt. Hn. A. C. (Kincard
Myer, Horatio
Nicholson, Charles N. (Doncast'r
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
O'Grady, J.
Parker, James (Halifax)
Partington, Oswald
Pearce, William (Limehouse)
Pearson, W. H. M. (Suffolk, Eye)
Philipps, Col. Ivor (S'thampton)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pollard, Dr.
Price, C. E. (Edinb'gh, Central)
Priestley, W. E. B. (Bradford, E.)
Radford, G. H.
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Rees, J. D.
Rendall, Athelstan
Richards, Thomas (W. Monm'th
Richards, T. F. (Wolverh'mpt'n
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, Sir John H. (Denbighs.)
Robertson, Sir G. Scott (Bradf'rd
Robinson, S.
Robson, Sir William Snowdon
Roe, Sir Thomas
Rogers, F. E. Newman
Rose, Charles Day
Runciman, Rt. Hon. Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann, Sir C. E. (Manchester)
Scott, A. H. (Ashton-under-Lyne
Sears, J. E.
Seaverns, J. H.
Seely, Colonel
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.)
Sherwell, Arthur James
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanley, Albert (Staffs, N. W.)
Stewart, Halley (Greenock)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Tennant, Sir Edward (Salisbury
Tennant, H. J. (Berwickshire)
Thomas, Abel (Carmarthen, E.)
Thomas, Sir A. (Glamorgan, E.)
Thomas, David Alfred (Merthyr
Thompson, J. W. H. (Somerset, E
Thorne, G. R. (Wolverhampton
Tomkinson, James
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Villiers, Ernest Amherst
Vivian, Henry
Walker, H. De R. (Leicester)
Walton, Joseph
Ward, John (Stoke-upon-Trent
Waring, Walter
Wason, Rt Hn. E. (Clackmannan
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker, Rt Hn. Sir Thomas P.
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Llewelyn (Carmarth'n
Williamson, A.
Wills, Arthur Walters
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J. (York, W. R.)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, J. W. (Worcestersh. N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE NOES.—Mr. Joseph Pease and Master of Elibank.

And, it being after half-past Ten of the Clock, the Chairman proceeded, in pursuance of the Order of the House of 17th July, to put forthwith the Questions necessary to dispose of the Business to be concluded this day.

Question put, "That the Clause, as amended, stand part of the Bill."

The Committee divided:—Ayes, 293; Noes, 96. (Division List No. 308.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Agar-Robartes, Hon. T. C. R.
Agnew, George William
Ainsworth, John Stirling
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Asquith, Rt. Hn. Herbert Henry
Astbury, John Meir
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Barker, John
Barlow, Sir John E. (Somerset)
Barlow, Percy (Bedford)
Barnes, G. N.
Beale, W. P.
Beauchamp, E.
Beaumont, Hon. Hubert
Beck, A. Cecil
Bellairs, Carlyon
Bethell, Sir J. H. (Essex, Romf'rd
Bethell, T. R. (Essex, Maldon)
Birrell, Rt. Hon. Augustine
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.

Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Bryce, J. Annan
Buckmaster, Stanley O.
Burt, Rt. Hon. Thomas
Buxton, Rt.Hn.Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Causton, Rt.Hn.Richard Knight
Chance, Frederick William
Channing, Sir Francis Allston
Cheetham, John Frederick
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Sir Wm.J.(S.Pancras,W.
Compton-Rickett, Sir J.
Corbett, CH (Sussex,E.Grinst'd
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crooks, William
Crosfield, A. H.
Crossley, William J.
Dalmeny, Lord
Dalziel, James Henry
Davies, M. Vaughan (Cardigan)
Davies, Timothy (Fulham)
Davies, Sir W.Howell(Bristol,S.
Dewar, Arthur (Edinburgh, S.)
Dickinson, W.H. (St.Pancras,N
Dickson-Poynder, Sir John P.
Dobson, Thomas W.
Duckworth, James
Duncan, C.(Barrow-in-Furness)
Dunne, Major E.Martin (Walsall
Edwards, Enoch (Hanley)
Edwards, Sir Francis (Radnor)
Erskine, David C.
Essex, R. W.
Esslemont, George Birnie
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Findlay, Alexander
Foster, Rt. Hon. Sir Walter
Fuller, John Michael F.
Furness, Sir Christopher
Gibb, James (Harrow)
Gill, A. H.
Gladstone, Rt.Hn.Herbert John
Glen-Coats, Sir T. (Renfrew,W.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Gulland, John W.
Gurdon, Rt Hn.Sir W.Brampton
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Harcourt, Rt.Hn.L.(Rossendale
Harcourt, Robert V.(Montrose)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Harmsworth, R.L.(Caithn'ss-sh
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey, W.E.(Derbyshire,N.E.
Harwood, George
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hazel, Dr. A. E.
Hedges, A. Paget
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J.M.(Aberdeen,W.)
Henry, Charles S.
Herbert, Col. Sir Ivor(Kon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobhouse, Charles E. H.
Hodge, John
Holt, Richard Durning
Hooper, A. G.
Hope, W. Bateman(Somerset,N.
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, Sir James Alfred
Jardine, Sir J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Sir D. Brynmor(Swansea)
Jones, Leif (Appleby)
Jones, William(Carnarvonshire)
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Layland-Barratt, Sir Francis
Leese, Sir Joseph F. (Accrington)
Lehmann, R. C.
Lever, A.Levy(Essex, Harwich
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Rt. Hon. Thomas
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
M'Callum, John M.
M'Crae, Sir George
M'Laren, Sir C. B. (Leicester)
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Markham, Arthur Basil
Marks, G.Croydon(Launceston)
Marnham, F. J.
Massie, J.
Masterman, C. F. G.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murray, Capt. Hn A C.(Kincard)
Myer, Horatio
Nicholson, Charles N.(Doncaster
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
O'Grady, J.
Parker, James (Halifax)
Partington, Oswald
Pearce, William (Limehouse)
Pearson, W.H.M. (Suffolk,Eye)
Philipps, Col. Ivor (S'thampton)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pollard, Dr.
Price, C. E. (Edinb'gh, Central)
Priestley, W.E.B.(Bradford,E.)
Radford, G. H.
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell(Scarboro')
Rees, J. D.
Rendall, Athelstan
Richards, Thomas (W.Monm'th
Richards, T.F. (Wolderh'mpt'n
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, Sir John H.(Denbighs.)
Robertson, Sir G.Scott(Bradf'rd
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rogers, F. E. Newman
Rose, Charles Day
Runciman, Rt. Hon. Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann, Sir C.E.(Manchester)
Scott, A.H. (Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Seely, Colonel
Shackleton, David James
Shaw, Rt. Hn. T. (Hawick, B.)
Sherwell, Arthur James
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanley, Albert (Staffs, N.W.)
Stewart, Halley (Greenock)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Tennant, Sir Edward (Salisbury
Tennant, H. J. (Berwickshire)
Thomas, Abel (Carmarthen, E.)

Thomas, Sir A. (Glamorgan,E.)
Thomas,David Alfred(Merthyr)
Thompson, J.W.H.(Somerset,E
Thorne, G. R. (Wolverhampton
Thorne, William (Hest Ham)
Tomkinson, James
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Villiers, Ernest Amherst
Vivian, Henry
Walker, H. De R. (Leicester)
Walton, Joseph
Ward, John (Stoke upon Trent)
Waring, Walter
Wason,Rt.Hn.E(Clackmannan
Wason,John Cathcart (Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker,Rt.Hn SirThomasP.
Wiles, Thomas
Williams, J. (Glamorgan)
Williams,Llewelyn(Carmarth'n
Williamson, A.
Wills, Arthur Walters
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, J. W. (Worcestersh.N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Ashley, W. W.
Aubrey-Fletcher, Rt. Hn Sir H.
Balcarres, Lord
Baldwin, Stanley
Balfour,Rt.Hn.A.J.(City Lond)
Banbury, Sir Frederick George
Barnard, E. B.
Beach,Hn.Michael Hugh Hicks
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bowles, G. Stewart
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Clark, George Smith
Coates, Major E. F. (Lewisham)
Cochrane, Hon. Thos. H. A. E.
Collings, Rt.Hn.J.(Birm'gham)
Courthope, G. Loyd
Craik, Sir Henry
Dixon-Hartland,Sir Fred Dixon
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Duncan,Robert (Lanark,Govan
Faber, George Denison (York)
Faber, Capt. W. V. (Hants, W.)
Fardell, Sir T. George
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Gooch,Henry Cubitt(Peckham)
Goulding, Edward Alfred
Gretton, John
Guinness, Hn. R. (Haggerston)
Guinness, W.E. (Bury S. Edm.)
Hamilton, Marquess of
Hardy,Laurence(Kent,Ashford
Harrison-Broadley, H. B.
Hay, Hon. Claude George
Hill, Sir Clement
Hills, J. W.
Hope,James Fitzalan(Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Kerry, Earl of
Keswick, William
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Lee,Arthur H.(Hants,Fareham
Long,Col.Charles W. (Evesham
Lonsdale, John Brownlee
Lowe, Sir Francis William
MacCaw, William J. MacGeagh
M'Arthur, Charles
Magnus, Sir Philip
Marks, H. H. (Kent)
Mildmay, Francis Bingham
Morpeth, Viscount
Nield, Herbert
O'Brien, Patrick (Kilkenny)
Oddy, John James
Parkes, Ebenezer
Pease,Herbert Pike(Darlington
Percy, Earl
Powell, Sir Francis Sharp
Rasch, Sir Frederic Carne
Ratcliff, Major R. F.
Rawlinson,John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Roberts, S. (Sheffield,Ecclesall)
Ronaldshay, Earl of
Ropner, Colonel Sir Robert
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Sassoon, Sir Edward Albert
Scott, Sir S. (Marylebone, W.)
Smith, Hon. W. F. D. (Strand)
Stanier, Beville
Staveley-Hill, Henry (Staff'sh.)
Talbot, Lord E. (Chichester)
Talbot,Rt.Hn.J.G.(Oxf'd Univ.
Walker, Col.W.H. (Lancashire)
Walrond, Hon. Lionel
Warde, Col. C. E. (Kent, Mid)
White, Patrick (Meath, North)
Williams, Col. R. (Dorset, W.)
Wyndham, Rt. Hon. George
Young, Samuel

TELLERS FOR THE NOES—Sir Alexander Acland-Hood and Viscount Valentia.

Clause 15:

Question put, "That the Clause stand part of the Bill."

The Committee divided: Ayes, 291; Noes, 94. (Division List No. 309.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Agar-Robartes, Hon. T. C. R.
Agnew, George William
Ainsworth, John Stirling
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Asquith,Rt. Hn.Herbert Henry
Astbury, John Meir
Baker, Joseph A.(Finsbury, E.
Balfour, Robert (Lanark)
Barker, John
Barlow, Sir John E. (Somerset)
Barlow, Percy (Bedford)
Barnes, G. N.

Beale, W. P.
Beauchamp, E.
Beaumont, Hon. Hubert
Beck, A. Cecil
Bellairs, Carlyon
Bethell, Sir J. H. (Essex, Romf'rd
Bethell, T. R. (Essex, Maldon)
Birrell, Rt. Hon. Augustine
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Bryce, J. Annan
Buckmaster, Stanley O.
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Causton, Rt. Hn. Richard Knight
Chance, Frederick William
Channing, Sir Francis Allston
Cheetham, John Frederick
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Sir Wm. J. (S. Pancras, W.
Compton-Rickett, Sir J.
Corbett, C H (Sussex, E. Grinst'd
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crooks, William
Crosfield, A. H.
Crossley, William J.
Dalmeny, Lord
Dalziel, James Henry
Davies, M. Vaughan- (Cardigan
Davies, Timothy (Fulham)
Davies, Sir W. Howell (Bristol, S.
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras, N
Dickson-Poynder, Sir John P.
Dobson, Thomas W.
Duckworth, James
Duncan, C. (Barrow-in-Furness
Dunne, Major E. Martin (Walsall
Edwards, Enoch (Hanley)
Edwards, Sir Francis (Radnor)
Erskine, David C.
Essex, R. W.
Esslemont, George Birnie
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Findlay, Alexander
Foster, Rt. Hon. Sir Walter
Fuller, John Michael F.
Furness, Sir Christopher
Gibb, James (Harrow)
Gill, A. H.
Gladstone, Rt. Hn. Herbert John
Glen-Coats, Sir T. (Renfrew, W.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Gulland, John W.
Gurdon, Rt. Hn. Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Harmsworth, R. L. (Caithn'ss-sh
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey, W. E. (Derbyshire, N. E.
Harwood, George
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hazel, Dr. A. E.
Hedges, A. Paget
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobhouse, Charles E. H.
Hodge, John
Holt, Richard Durning
Hooper, A. G.
Hope, W. Bateman (Somerset, N
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, Sir James Alfred
Jardine, Sir J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Sir D. Brynmor (Swansea
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Layland-Barratt, Sir Francis
Leese, Sir Joseph F. (Accrington
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Rt. Hon. Thomas
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
M'Callum, John M.
M'Crae, Sir George
M'Laren, Sir C. B. (Leicester)
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Markham, Arthur Basil
Marks, G. Croydon (Launceston)
Marnham, F. J.
Massie, J.
Masterman, C. F. G.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murray, Capt. Hn A. C. (Kincard.
Myer, Horatio
Nicholson, Charles N. (Doncast'r
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
O'Grady, J.
Parker, James (Halifax)
Partington, Oswald
Pearce, William (Limehouse)
Pearson, W. H. M. (Suffolk, Eye)
Philipps, Col. Ivor (S'thampton
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pollard, Dr.
Price, C. E. (Edinburgh, Central
Priestley, W. E. B. (Bradford, E.)
Radford, G. H.
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Rees, J. D.
Rendall, Athelstan
Richards, Thomas (W. Monm'th
Richards, T. F. (Wolverh'mpt'n
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, Sir John H. (Denbighs.)
Bobertson, Sir G. Scott (Bradf'rd
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rogers, F. E. Newman
Rose, Charles Day
Runciman, Rt. Hon. Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann, Sir C. E. (Manchester)
Scott, A. H. (Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Seely, Colonel
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick, B.
Sherwell, Arthur James

Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanley, Albert (Staffs, N.W.)
Stewart, Halley (Greenock)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Sutherland, J. E.
Taylor, Theodore C.(Radcliffe)
Tennant, H. J. (Berwickshire)
Thomas, Abel (Carmarthen, E.
Thomas, Sir A. (Glamorgan, E.)
Thomas, David Alfred (Merthyr
Thompson, J. W. H. (Somerset, E
Thorne, G. R. (Wolverhampton)
Thorne, William (West Ham)
Tomkinson, James
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Villiers, Ernest Amherst
Vivian, Henry
Walker, H. De R. (Leicester)
Walton, Joseph
Ward, John (Stoke upon Trent)
Waring, Walter
Wason, Rt. Hn. E (Clackmannan
Wason, John Cathcart (Orkney
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker, Rt Hn. Sir Thomas P.
Wiles, Thomas
Williams, J. (Glamorgan)
Williams Llewelyn (Carmarthen
Williamson, A.
Wills, Arthur Walters
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, J. W. (Worcestersh. N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Ashley, W. W.
Aubrey-Fletcher, Rt. Hn. Sir H.
Balcarres, Lord
Baldwin, Stanley
Balfour, Rt Hn. A. J. (City Lond.)
Banbury, Sir Frederick George
Barnard, E. B.
Beach, Hn. Michael Hugh Hicks
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bowles, G. Stewart
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Clark, George Smith
Coates, Major E.F. (Lewisham)
Cochrane, Hon. Thos. H. A. E.
Collings, Rt. Hn. J. (Birm'gham)
Courthope, G. Loyd
Craik, Sir Henry
Dixon-Hartland, Sir Fred Dixon
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Duncan, Robert (Lanark, Govan
Faber, George Dension (York)
Faber, Capt. W. V. (Hants, W.)
Fardell, Sir T. George
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Gooch, Henry Cubitt (Peckham
Goulding, Edward Alfred
Gretton, John
Guinness, Hn. R. (Haggerston)
Guinness, W. E. (Bury S. Edm.)
Hamilton, Marquess of
Hardy, Laurence (Kent, Ashf'rd)
Harrison-Broadley, H. B.
Hay, Hon. Claude George
Hill, Sir Clement
Hills, J. W.
Hope, James Fitzalan (Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Kerry, Earl of
Keswick, William
Lambton, Hn. Frederick Wm.
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Lee, Arthur H. (Hants, Fareham
Long, Col. Charles W. (Evesham)
Lonsdale, John Brownlee
MacCaw, William J. MacGeagh
M'Arthur, Charles
Magnus, Sir Philip
Marks, H. H. (Kent)
Mildmay, Francis Bingham
Morpeth, Viscount
Nield, Herbert
Parkes, Ebenezer
Pease, Herbert Pike (Darlington
Percy, Earl
Powell, Sir Francis Sharp
Rasch, Sir Frederic Carne
Ratcliff, Major R. F.
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Roberts, S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Ropner, Colonel Sir Robert
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Sassoon, Sir Edward Albert
Scott, Sir S. (Marylebone, W.)
Smith, Hon. W. F. D. (Strand)
Stanier, Beville
Staveley-Hill, Henry (Staff'sh.)
Talbot, Lord E. (Chichester)
Talbot, Rt Hn. J. G. (Oxf'd Univ.
Tennant, Sir Edward (Salisbury
Walker, Col. W. H. (Lancashire
Walrond, Hon. Lionel
Warde, Col. C. E. (Kent, Mid)
White, Patrick (Meath, North)
Williams, Col. R. (Dorset, W.)
Wyndham, Rt. Hon. George
Young, Samuel

TELLERS FOR THE NOES—Sir Alexander Acland-Hood and Viscount Valentia.

Clause 16:

Question put, "That the Clause stand part of the Bill."

The Committee divided:—Ayes, 291; Noes, 91. (Division List No. 310.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Agar-Robartes, Hon. T. C. R.
Agnew, George William
Ainsworth, John Stirling
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Armstrong, W. C. Heaton

Ashton, Thomas Gair
Asquith,Rt.Hn. Herbert Henry
Astbury, John Meir
Baker,Joseph A. (Finsbury,E.)
Balfour, Robert (Lanark)
Barker, John
Barlow, Sir John E. (Somerset)
Barlow, Percy (Bedford)
Barnes, G. N.
Beale, W. P.
Beauchamp, E.
Beaumont, Hon. Hubert
Beck, A. Cecil
Bellairs, Carlyon
Bethell,Sir J.H.(Essex,Romf'd)
Bethell, T. R. (Essex, Maldon)
Birrell, Rt. Hon. Augustine
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Bryce, J. Annan
Buckmaster, Stanley O.
Burt, Rt. Hon. Thomas
Buxton,Rt.Hn. Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Causton,Rt.Hn.RichardKnight
Chance, Frederick William
Channing, Sir Francis Allston
Cheetham, John Frederick
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins,SirWm.J.(S.Pancras,W.
Compton-Rickett, Sir J.
Corbett,C H (Sussex,E.Grinst'd
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crooks, William
Crosfield, A. H.
Crossley, William J.
Dalmeny, Lord
Dalziel, James Henry
Davies,M.Vaughan- (Cardigan)
Davies, Timothy (Fulham)
Davies,Sir W.Howell(Bristol,S.
Dewar, Arthur (Edinburgh, S.)
Dickinson, W.H.(St.Pancras,N
Dickson-Poynder, Sir John P.
Dobson, Thomas W.
Duckworth, James
Duncan,C. (Barrow-in-Furness)
Dunne,Major E.Martin(Walsall
Edwards, Enoch (Hanley)
Edwards, Sir Francis (Radnor)
Erskine, David C.
Essex, R. W.
Esslemont, George Birnie
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro

Findlay, Alexander
Foster, Rt. Hon. Sir Walter
Fuller, John Michael F.
Furness, Sir Christopher
Gibb, James (Harrow)
Gill, A. H.
Gladstone,Rt.Hn Hebert John
Glen-Coats,Sir T. (Renfrew,W.)
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Gulland, John W.
Gurdon,RtHn.Sir W.Brampton
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Harcourt,Rt.Hn.L.(Rossendale
Harcourt, Robert V.(Montrose)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r.)
Harmsworth,R.L.(Caithness-sh
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey, W.E. (Derbyshire,N.E
Harwood, George
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hazel, Dr. A. E.
Hedges, A. Paget
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J.M.(Aberdeen,W.)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon.,S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobhouse, Charles E. H.
Hodge, John
Holt, Richard Durning
Hooper, A. G.
Hope,W.Bateman(Somerset,N.
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, Sir James Alfred
Jardine, Sir J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones,Sir D.Brynmor(Swansea)
Jones, Leif (Appleby)
Jones,William(Carnarvonshire)
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Layland-Baratt, Sir Francis
Leese,Sir JosephF.(Accrington)
Lehmann, R. C.
Lever, A.Levy(Essex,Harwich)
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon.David

Lough, Rt. Hon. Thomas
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
M'Callum, John M.
M'Crae, Sir George
M'Laren, Sir C. B. (Leicester)
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Markham, Arthur Basil
Marks,G.Croydon (Launceston)
Marnham, F. J.
Massie, J.
Masterman, C. F. G.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murray, Capt.HnA.C.(Kincard.
Myer, Horatio
Nicholson,CharlesN.(Doncast'r
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
O'Grady, J.
Parker, James (Halifax)
Partington, Oswald
Pearce, William (Limehouse)
Pearson, W.H.M.(Suffolk,Eye)
Philipps, Col.Ivor(S'thampton)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pollard, Dr.
Price, C.E.(Edinburgh, Central
Priestley, W.E.B.(Bradford,E.)
Radford, G. H.
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea,Walter Russell(Scarboro'
Rees, J. D.
Rendall, Athelstan
Richards, Thos. (W. Monm'th)
Richards, T.F.(Wolverh'mpt'n
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Robert, G. H. (Norwich)
Roberts,SirJohn H.(Denbighs.)
Robertson,SirG.Scott(Bradf'rd
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rogers, F. E. Newman
Rose, Charles Day
Runciman, Rt. Hon. Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scarisbrick, T. T. L.

Schwann, C. Duncan (Hyde)
Schwann,Sir C.E. (Manchester)
Scott,A.H.(Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Seely, Colonel
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick, B.
Sherwell, Arthur James
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanley, Albert (Staffs, N. W.)
Stewart, Halley (Greenock)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Sutherland, J. E.
Taylor, Theodore C.(Radcliffe)
Tennant,Sir Edward(Salisbury
Tennant, H. J. (Berwickshire)
Thomas, Abel(Carmarthen, E.)
Thomas,Sir A.(Glamorgan,E.)
Thomas,David Alfred(Merthyr
Thompson, J.W.H.(Somerset,E
Thorne, G.R. (Wolverhampton
Thorne, William (West Ham)
Tomkinson, James
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Villiers, Ernest Amherst
Vivian, Henry
Walker, H. De R. (Leicester)
Walton, Joseph
Ward,John(Stoke upon Trent)
Waring, Walter
Wason, RtHn.E.(Clackmannan
Wason, John Cathcart(Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker,RtHn.Sir ThomasP.
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Llewelyn(Carm'rth'n
Williamson, A.
Wills, Arthur Walters
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J.(York, W.R.)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, J.W.(Worcestersh.N.)
Wilson, P. W. (St.Pancras, S.)
Wilson, W.T. (Westhoughton)
Wood, T. M'Kinnon

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Ashley, W. W.
Aubrey-Fletcher,Rt.Hon.Sir H
Balcarres, Lord
Baldwin, Stanley
Balfour,RtHn.A.J.(CityLond.)
Banbury,Sir Frederick George
Barnard, E. B.
Beach,Hn.Michael Hugh Hicks
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bowles, G. Stewart
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Clark, George Smith
Coates, Major E.F. (Lewisham)
Cochrane, Hon. Thos. H.A.E.
Collings, Rt.Hn.J.(Birm'gham)
Courthope, G. Loyd
Craik, Sir Henry
Dixon-Hartland,Sir FredDixon
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Duncan,Robert(Lanark,Govan
Faber, George Denison (York)
Faber, Capt. W.V.(Hants, W.)
Fardell, Sir T. George
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Gooch,Henry Cubitt(Peckham)
Goulding, Edward Alfred
Gretton, John
Guinness, Hon. R.(Haggerston)
Guinness, W.E.(Bury S.Edm.)
Hamilton, Marquess of
Hardy, Laurence(Kent,Ashf'rd
Harrison-Broadley, H. B.
Hay, Hon. Claude George
Hill, Sir Clement
Hills, J. W.
Hope,James Fitzalan(Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Kerry, Earl of
Keswick, William
Lambton,Hon. Frederick Wm.
Lane-Fox, G.R.
Lee,ArthurH(Hants,Fareham)
Long,Col.Charles W.(Evesham
Lonsdale, John Brownlee
MacCaw,William J. MacGeagh
M'Arthur, Charles
Magnus, Sir Philip
Marks, H. H. (Kent)
Mildmay, Francis Bingham
Morpeth, Viscount
Nield, Herbert
Parkes, Ebenezer
Pease,HerbertPike(Darlington
Powell, Sir Francis Sharp
Rasch, Sir Frederic Carne
Ratcliff, Major R. F.
Rawlinson,John Frederick Peel
Renmant, James Farquharson
Renton, Leslie
Roberts,S.(Sheffield, Ecclesall)
Ronaldshay, Earl of
Ropner, Colonel Sir Robert
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Sassoon, Sir Edward Albert
Scott,Sir S. (Marylebone, W.)
Smith, Hon. W. F. D. (Strand)
Stanier, Beville
Staveley-Hill,Henry (Staff'sh.)
Talbot, Lord E. (Chichester)
Talbot,RtHn.JG.(OxfordUniv.
Walker, Col. W.H.(Lancashire)
Waldron, Hon. Lionel
Warde, Col. C. E. (Kent, Mid)
White,Patrick (Meath, North)
Williams, Col. R. (Dorset, W.)
Wyndham, Rt. Hon. George
Young, Samuel

TELLERS FOR THE NOES—Sir Alexander Acland-Hood and Viscount Valentia.

Clause 17 agreed to.

Committee report Progress; to sit again To-morrow.

Whereupon Mr. SPEAKER, pursuant to the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at eleven minutes after Eleven o'clock.

HOUSE OF COMMONS.

Friday, 30th October, 1908.

The House met at Twelve noon of the Clock.

PETITIONS.

EDUCATION (SCOTLAND) BILL.

Petition from Forres, for alteration; to lie upon the Table.

ENFRANCHISEMENT OF WOMEN.

Petition from Brighton, for legislation; to lie upon the Table.

LICENSING BILL.

Petitions against: From Alcester (two); Alveston; Barford: Barton; Bearley; Beaudesert; Bidford; Broom; Eatington; Great Alne; Henley in Arden; Hockley Heath; Ilmington; Loxley; Moreton Morrell; Salford Priors; Snitterfield; Stratford on Avon; Tanworth in Arden; Tiddington; Tysoe; Ullenhall; Wellesbourne; and, Wilmcote; to lie upon the Table.

Petition from Wincanton, for alteration; to lie upon the Table.

Petitions in favour: From Cardross; Edmonton; Leeds; Parson's Green; Penrhyndendraeth; and, Wolverhampton; to lie upon the Table.

POOR LAW AMENDMENT (SCOTLAND) BILL.

Petitions in favour: From Ardrossan; Kilmaurs; Kilwinning; and, Nairn; to lie upon the Table.

RETURNS, REPORTS, ETC.

IRISH LAND COMMISSION.

Copy presented, of Return of Advances made under the Irish Land Act, 1903, during the month of February 1908 [by Command]; to lie upon the Table.

IRISH LAND COMMISSION.

Copy presented, of Index to Estates comprised in Returns of Advances under the Irish Land Act, 1903, during the year ended 31st December 1907 [by Command]; to lie upon the Table.

LOCAL GOVERNMENT BOARD (IRELAND).

Copy presented, of Order with respect to the Urban County District of Keady [by Act]; to lie upon the Table.

CENSUS OF PRODUCTION ACT, 1906.

Copy presented, of Rules made by the Board of Trade under the Act [by Act]; to lie upon the Table.

SHOP HOURS ACT, 1904.

Copy presented, of Order made by the Councils of the Boroughs of Cheltenham and Dukinfield, and confirmed by the Secretary of State for the Home Department, fixing the Hours of Closing for certain classes of Shops [by Act]; to lie upon the Table.

TRADE REPORTS (ANNUAL SERIES).

Copies presented, of Diplomatic and Consular Reports, Annual Series, Nos. 4157 to 4158 [by Command]; to lie upon the Table.

RAILWAY COMPANIES (CHARITABLE AND OTHER CONTRIBUTIONS, 1907).

Return ordered, "showing in detail the amounts contributed by the Railway Companies of the United Kingdom, during the year 1907, to Institutions and Associations of various character not directly controlled by the Companies and not for the exclusive benefit of the Companies' servants."—(*Sir Hudson Kearley.*)

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Distress Committees in Ireland.

Mr. JOHN O'CONNOR (Kildare, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state how many distress committees have been organised in Ireland under the Act of 1905, and what the extent and nature of their operations have been; whether the Local Government (Ireland) Board have had anything to do with the formation of such distress committees, and whether that Board held communication with the President of the Local Government (England) Board in respect to relief works to be administered by Distress Committees in Ireland; are any measures

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

being now taken by any public body or Government Department in Ireland to avail themselves of the extended provisions for relief of distress during the present winter; and will he state what those are, if any.

(*Answered by Mr. Birrell.*) Twenty-one distress committees have been organised in Ireland. The nature and extent of their operations cannot be adequately stated within the limits of an oral Answer, and I would therefore ask the hon. Member to accept the assurance of the Local Government Board that on the whole the operations of these committees have been conducted with care and judgment. The Local Government Board for Ireland have had frequent communications with the English Board on the subject. Relief operations are already in progress in Belfast, and the Dublin Distress Committee will, it is expected, commence operations at an early date. The only other application relating to the coming winter's operations which has yet been received is one from the Ennis Distress Committee, which is receiving attention. I will make inquiries as to whether it will be possible for any Government Department in Ireland to undertake work which will have the effect of alleviating distress.

Position of Mr. Maguire, Royal Irish Constabulary.

MR. SWIFT MACNEILL (Donegal, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that Mr. Maguire, the county inspector of the Royal Irish Constabulary for Fermanagh, who is resident in Enniskillen, is a brother-in-law of a prominent Unionist solicitor and a nephew of a prominent Unionist and Orangeman, the county surveyor of Fermanagh, who are both resident in Enniskillen; whether it is in accordance with constabulary rules and regulations that a member of the Royal Irish Constabulary, and especially the commandant of the constabulary of a county, should be stationed in a county in which he has near relatives, and, if not, on what ground is the retention of Mr. Maguire in this position justified; and whether steps will be taken for his removal to another district.

(*Answered by Mr. Birrell.*) It is the rule of the Royal Irish Constabulary not to allocate an officer to a county in which he or his wife has relatives. The Inspector-General informs me that County Inspector Maguire's wife is a half-sister of the wife of a solicitor in Enniskillen, but that the solicitor in question is neither an Orangeman nor a politician. Mrs. Maguire is also distantly connected with the county surveyor's wife, the latter being a sister of the second wife of Mrs. Maguire's father, while Mrs. Maguire herself is a daughter of the first wife. The ladies referred to are natives of county Cork, and neither was resident in Enniskillen when the county inspector was allocated to the county. There is no rule which requires the transfer of an officer from a county in which a relative may become resident after his allocation to it. Moreover, rules apart, the Inspector-General considers that Mr. Maguire has performed his duties with efficiency and impartiality, and there is no reason why he should be removed to another county.

Erection of Orange Arches at Brookeborough.

MR. SWIFT MACNEILL: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been directed to the fact that, although the authorities had given directions to the constabulary not to permit any arches to be put up on the road leading from Colebrook and on the road leading from Brookeborough to the Roman Catholic Church on the occasion of an Orange demonstration at Brookeborough on the 12th August last, and had also given directions that 100 men of the Royal Irish Constabulary were to be drafted into Brookeborough to prevent the erection of these arches, the arches were erected without any effort on the part of the police to prevent their erection, and the orders given by the Government were countermanded by Mr. Maguire, the county inspector; whether he is aware that the Rev. Herbert MacManamey, who presided at the demonstration, in his speech stated that the arches had been put up by the Orangemen, and that he would like to see which of their Roman Catholic neighbours would pull them down, and on the same occasion repeated a conversation between Mr. Maguire, the county inspector, and himself in which he mentioned the fact of the order to the Royal Irish Constabulary for the prevention of the erection of these arches, and that the county inspector stated that the Chief Secretary had come upon a mare's nest when he touched the Orangemen; whether the county inspector has been asked to give any explanation of his conduct in permitting these arches, contrary to express orders, to be erected, and of his allusions to the Chief Secretary; and what steps, if any, the Executive intend to take with respect to the disobedience to the Executive Government of the county inspector in this matter, which might but for the self-restraint of the Catholic inhabitants of the district have led to a serious breach of the peace.

(*Answered by Mr. Birrell.*) The authorities are satisfied that County Inspector Maguire discharged his difficult duties on the occasion in question with honesty and discretion. His orders were not to allow arches to be put up at certain objectionable points, and these orders were fully carried out. The county inspector did not countermand any orders which had been given by the Government. An extra force of fifty men was, in the first instance, directed to be sent to Brookeborough upon the demand of the county inspector himself, but upon an undertaking having been given that no attempt would be made to erect arches at the prohibited points the order for extra force was countermanded. The county inspector denies that he had any conversation whatever with the Rev. Mr. MacManamey to the effect mentioned in the Question.

The Nyasaland Legislative Council.

MR. SILCOCK (Somersetshire, Wells): To ask the Under-Secretary of State for the Colonies if his attention has been directed to the recent appointments to the Legislative Council in Nyasaland, and to the protests which have appeared in the local press; will he say whether two of the three gentleman appointed are the local managers of large commercial companies who hold contracts with the Government; and, if so, whether he proposes to take any steps to secure that these gentlemen shall not negotiate contracts with the Government of which they are members.

(*Answered by Colonel Seely.*) My hon. friend has been good enough to show me the protests in the local press to which he refers. It is true that two of the three gentlemen are the local managers of large commercial companies who hold contracts with the Government, but they are members of the Legislature and not of the Government. If any contract in which either of them is interested should be submitted by the Government to the Legislative Council he would no doubt abstain from taking part in the proceedings.

Private Students at Keyham.

MR. BELLAIRS (Lynn Regis): To ask the First Lord of the Admiralty whether anything has yet been done for the four private students who passed so well at the examination at Keyham last summer; whether he has taken into consideration that the private students understood from a circular sent out by the captain of the college that any vacancies arising from the failure of any of the Keyham engineer cadets would be filled from the private students, and four engineer cadets actually did fail, but have been allowed an extra year's study; and whether he will consider favourably their position, in view of the fact that only one-third of the usual number of entries have been made from Keyham this year.

(*Answered by Mr. McKenna.*) Three of the seven private students referred to have been granted commissions in the place of two engineer cadets transferred to naval construction cadets and one withdrawn. The regulations for the admission of the private students in question made it clear that they would have the same advantages as engineer and construction cadets in respect of residence, training, and practical work, without any obligation to join His Majesty's service at the end of their time, and that, in the event of vacancies occurring among the engineer cadets owing to exceptional causes, an opportunity would be given to them of filling such vacancies. Only the three vacancies referred to in the foregoing paragraph have occurred, and these have been filled by the first three private students. No vacancies have been caused by the retention of four engineer cadets for a fifth year. The time engineer cadets may be retained at Keyham is five years, but those who reach a certain standard at the end of four years pass out then. The engineer cadets referred to did not reach that standard, but they have not failed to pass for engineer sub-lieutenant. The numbers passing out of Keyham are governed by the entries of previous years, which were regulated according to the requirements of the service.

Laying Down of New Battleships.

MR. BELLAIRS: To ask the First Lord of the Admiralty whether he is aware that the Admiralty stated in the House on 23rd July, 1903, in answer to a Question, that the average time that had elapsed in recent years between the date of the announcement of the naval programme to Parliament and the laying down of any of the battleships comprised in that programme had been about ten months, but that the Board of Admiralty considered that it is not desirable that these long intervals should continue to occur, and it was their desire to return to the system under which the laying down of vessels proposed in any year shall follow closely upon Parliamentary sanction being received; and, in view of the fact that this financial year two armoured ships are to be laid down eleven and twelve months respectively after the announcement of the programme, can he see his way to laying them down at an earlier date, as is being done with a number of small cruisers and destroyers.

(*Answered by Mr. McKenna.*) The large ships will be laid down at the earliest moment the preparation of the designs permits.

Workmen in Royal Parks.

MR. PIKE PEASE (Darlington): To ask the First Commissioner of Works what are the objects for which 500 workmen are to be engaged in the royal parks; what is the estimated cost; and from what Vote is the money to be met.

(*Answered by Mr. L. Harcourt.*) As in past years I am providing work in some of the royal parks for men for whom employment is desired by the Central (Unemployed) Committee. The work consists of digging and sifting gravel, levelling ground, draining, cleaning out ponds and lakes, diverting and widening roads, and preparing ground for nursery purposes. These are works for which no money has been voted by Parliament in the Votes, and the wages of the men will be paid entirely by the Central (Unemployed) Committee. The supervision, tools, and materials required will be provided out of the sum taken for this purpose in the Vote for Royal Parks which passed the House of Commons last spring.

Licences Extinguished and Compensation Paid.

MR. WHITBREAD (Huntingdonshire, Huntingdon): To ask the Secretary of State for the Home Department whether he can give the number of licences for which compensation has been awarded by the Commissioners of Inland Revenue under the Licensing Act, 1904; the total amount of the values of such premises with licence attached; and the total amount of the values of the same premises without the licences.

(*Answered by Mr. Secretary Gladstone.*) I am informed by the Commissioners of Inland Revenue as follows:—The total number of licences for which compensation has been awarded by the Commissioners of Inland Revenue under the Licensing Act, 1904, to the end of the year 1907 is 1,008. The total of the Schedule A assessments of the houses so dealt with by the Inland Revenue during the years 1905 and 1906 (exclusive of premises which have been unoccupied and where consequently no revision of assessment has taken place) was, before the extinction of licences, £20,145, and is at present £14,442. In the case of houses closed so recently as 1907 no reasonable period within which to relet has elapsed, and consequently details have not been collected.

Proceedings for Rent on the Estate of D. C. O'Connell.

MR. BOLAND (Kerry, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that seven tenants on the property of D. C. O'Connell, in the townland of Coomavoher, parish of Dromod, county Kerry, have been processed and decreed for rent; and whether, in view of the negotiations which had previously taken place for the purchase of this property, the Estates Commissioners will make special inquiry into the circumstances of this case in order to bring about a settlement.

(*Answered by Mr. Birrell.*) The Estates Commissioners have no knowledge of any proceedings taken by the landlord for rent, but they understand that certain of the tenants have not signed purchase agreements, as they cannot come to terms with the landlord. The Commissioners have no power to compel the landlord to sell, and they cannot undertake to have any inquiry made at present.

Sale of the O'Donoghue Estate, County Kerry.

MR. BOLAND: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the tenants on the O'Donoghue Estate, Glenbeigh, county Kerry, requested the Congested Districts Board to purchase the estate; can he state whether, as the result of negotiations, the estate has been offered to the Board by the owner or agents; and, if so, whether, with a view to completing the sale, the Congested Districts Board will now intimate their decision and take the necessary steps.

(*Answered by Mr. Birrell.*) The O'Donoghue estate, county Kerry, was offered to the Congested Districts Board last year, but owing to want of funds for improvement works the Board have been unable to negotiate for the property, and the solicitor for the vendor was so informed in January last.

Return of Serious Crimes.

MR. LONSDALE (Armagh, Mid.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he consents to the Returns of Serious Crimes presented to His Majesty's Judges of Assizes, of which notice appears on the Paper for Monday next.

(*Answered by Mr. Birrell.*) The Answer is in the affirmative.

SELECTION (STANDING COMMITTEES).

Sir WILLIAM BRAMPTON GURDON reported from the Committee of Selection; That they had added to Standing Committee A the following two Members (in respect of the White Phosphorus Matches Prohibition and of the Criminal Appeal (Amendment) [Lords] Bills): Mr. Clynes and Mr. Charles Duncan.

Sir WILLIAM BRAMPTON GURDON further reported from the Committee; That they had discharged the following Member from Standing Committee B (in respect of the Housing, Town Planning, &c., Bill): Mr. Leif Jones; and had appointed in substitution (in respect of the said Bill): Mr. Munro Ferguson.

Reports to lie upon the Table.

LICENSING BILL.

Considered in Committee.

(In the Committee.)

[MR. EMMOTT (Oldham) in the Chair.]

Clause 18:

*MR. GIBBS (Bristol, W.) moved to leave out subsection (1). He said the Government proposed by this clause to make alterations in the licensing law as it stood at present under the Act of 1874. Public-houses on Sunday were open for two hours in the middle of the day, and four hours in the evening, and it was now proposed to reduce the hours to one in the middle of the day, and two in the evening. He could not see why the Government should reduce the hours which had been settled upon as necessary for the convenience of those who went to licensed houses. Two hours in the middle of the day, and four hours in the evening were not too long, especially when one considered that in many parts of the country the men who visited public-houses had to go great distances. It was proposed to reduce the number of public-houses in the country in accordance with the scale at the end of the Bill, and that would mean that in future more people would go to any one public-house than at present. If two hours was not too long a period now, surely it would not be too long in future. He was sure that no one wished to see great crowding at public-houses both inside and outside. On hot days in the middle of summer, if this clause passed as the Government proposed, in all probability there would be great crowds of people inside public-houses, while others would be waiting in the street outside. In this case the Government were legislating, or wished to legislate, not for those who had cellars of their own, but for those who went habitually to the public-house which to them was the only means by which they could obtain refreshment. He considered, therefore, that it was most necessary to maintain the hours at present existing. Besides those who habitually went to the public-houses in the evening to obtain their beer, or whatever they wanted, there were those who in the summer months on going out for a walk in the evening, went to the public-house for refreshment either on the way out or on the way home. He supposed that they were a great majority of the people of the country. The effect of reducing the number of public-houses would be to drive all those people in the same direction at the same time, and there would be the same undesirable jostling crowds as at the middle of the day. Was it the intention of the Government to reduce the amount of alcoholic drink consumed? It seemed to him that by this very clause they would be increasing it. The subsection provided that the justices of the district were to fix the hour for opening at any hour between noon and 3 p.m. The hour when houses were open not being the same all round, it seemed to him if a man wanted alcohol he would only have to go to District A at twelve o'clock, to District B at one o'clock, and to District C just before three o'clock; he would then be drinking for the whole of the three hours, whereas at present he probably stopped in the same public-house, and when the licensed victualler thought that he had had enough he stopped serving him. In this way the Government would be defeating their own object. He did not know whether this clause was meant to apply to hotels and other places where licences were held. If it was, it seemed to him that it would cause very great discontent. People who arrived at a hotel late for a meal would by the terms of this clause only be allowed to have a meal without alcoholic liquor of any kind. In summer great crowds habitually resorted to seaside towns, and they, as well as the crowds on the great highways of the country would be deprived of the opportunity of obtaining any alcoholic liquor at hotels if they went to them outside of certain fixed hours. It seemed to him that if they passed this clause they would largely increase an undesirable type of drinking club. He was as strong as anyone in his support of *bona fide* clubs, but he thought it was most undesirable to increase those clubs which were started merely to take the place of public-houses which were closed. Let them take the case of Wales. In Wales the effect of Sunday closing was to increase the number of undesirable drinking clubs. [Several WELSH MEMBERS: No.] Hon. Members from Wales said "No." He had in his hand the report of the proceedings of a deputation to the Prime Minister in May last. It had appeared in the *Alliance News*, and in the course of the proceedings it was stated that there were in the administrative county of Glamorgan, exclusive of Cardiff and Swansea, 26,000 members of clubs, that the great majority of them only attended the clubs on Sundays, and that it had been stated during police Court proceedings that more money was taken in five hours on Sunday than over the whole of the remainder of the week.

SIR HERBERT ROBERTS (Denbighshire, W.): There are fewer clubs in Wales in proportion to the population than in England.

*MR. GIBBS said that the hon. Baronet would not deny that the clubs were on the increase since Sunday closing was introduced. He did not believe that Sunday observance would be made better by the passing of the Bill. In fact they would find that Sunday would be kept less well if the clause was passed, and so in the interests of decency and order he moved the omission of the subsection.

Amendment proposed—

"In page 11, line 27, to leave out subsection (1)."—(*Mr. Gibbs.*)

Question proposed, "That the words proposed to be left out down to the word 'shall' in line 28 stand part of the clause."

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. ASQUITH, Fifeshire, E.) said that this was a clause to which the Government attached very great importance. He thought that it represented in an outstanding shape a reform which practically all persons interested in the spread of temperance had been advocating for years. The condition of things affecting the opening of public-houses in Great

Britain on Sunday was very anomalous. In Scotland for fifty years there had been absolute Sunday closing; and he could say with some assurance, having represented a Scottish constituency for twenty-two years, that he had never heard in his own constituency or in any other part of Scotland any complaint of that law or any agitation in any responsible quarter to secure its repeal or its modification. He knew very well that the Scots, so far as they consumed alcohol, were a whiskey-drinking people, and though the English alternated between whisky and beer the preponderance of taste was in favour of beer. It was much more difficult, of course, to deal with complete Sunday closing in the case of a beer-consuming population than in the case of a whisky-consuming people, who could get their bottles filled and spend Sunday quietly away from the public-house. That was a point which should be carefully borne in mind. In Wales Sunday closing had been in force for a considerable number of years, and despite the criticisms that had been made he did not think there was in Wales any responsible body who desired to revert to the state of things which existed before the passing of the Act. In regard to Wales the difference between the social tastes and habits did not so much arise as in England and Scotland, and he believed that the Welsh consumed beer more than spirits very much as the English did in so far as they consumed alcohol at all. The fact remained that the two object-lessons supplied by Scotland and Wales showed that Sunday closing had been attended with highly successful results which had not been found obnoxious to the sense of freedom by the people there. He was reminded by an hon. friend that there had been a similar experiment in Ireland attended with equally satisfactory results. There had been recommendations and attempts made from time to time to secure total prohibition in England. When the Government came to consider the matter they thought, after a careful survey of all the material in their hands, that absolute Sunday closing in England would be to go in advance of public opinion, and in excess of the prudent necessities of the case. They had therefore submitted this modified proposal, which many of his friends of the temperance party thought much too moderate, because they would prefer at the outset to have a general law in favour of prohibition with provisions for local variations either by popular vote or through the action of the magistrates in the exercise of their discretion. But the Government had not gone so far as that; they were very anxious in these matters to proceed definitely and successfully and not in advance of the degree of public opinion that would secure support for the reform. Was there anyone who would contend that it was necessary for the reasonable accommodation of the public, especially the poorer classes, that the public-houses should be open on Sunday for so many hours as they were at present?

EARL WINTERTON (Sussex, Horsham): Yes.

MR. ASQUITH said the noble Lord thought so, but he did not think he would find any large body of opinion to support him in that. The Government thought they were making very reasonable and generous provision for the real necessities and wants of the people when they gave one hour for the mid-day beer and a couple of hours for the necessities of the evening. But, speaking for the Government as well as for himself, he said that he was not wedded to this precise division of time. He noticed that there were a number of Amendments on the Paper which suggested that there might be localities and districts where it might be more generally convenient that the time, not exceeding three hours, which was the maximum proposed to be allowed, should be taken either continuously or at different hours of the day from those actually proposed. He would be quite prepared to listen to suggestions of that kind as long as they did not affect the proposal that the total time should not be more than three hours. Some local elasticity should be allowed, but beyond the three hours the Government did not think that they ought to go. Let him add, though it was rather anticipating Amendments which were on the Paper—perhaps it would be convenient to deal with them in a general way at the outset—he did not think also that there was any occasion for alarm or apprehension that these provisions would operate harshly on hotels, restaurants, and refreshment rooms, or upon the supply of food and non-intoxicating liquor. As he understood the law on the subject—which they did not propose to change in any way—they were simply limiting the hours fixed by the Act of 1874 and dividing them by one-half. In all other respects the law remained as at present. Whatever privileges hotels and refreshment-rooms enjoyed now they would enjoy subject to this limitation. The law, as he understood it, was plain. When they said that places where liquor was sold by retail were to be closed, they meant closed for that purpose and no other. It was lawful to keep the premises open for the accommodation of wants, such as a cup of tea or milk; they were closed merely for the purpose of supplying drink.

MR. RAWLINSON (Cambridge University): In practice if the right hon. Gentleman tries to get into a licensed hotel during these hours, unless he is recognised he will have considerable difficulty.

MR. ASQUITH said he thought his hon. and learned friend would agree with him that that was generally understood to be the law. An offence was not committed either by the licence-holder or the person visiting the premises unless one supplied and the other asked for intoxicating liquor. The law would remain as it was. The whole scope of this proposed change was to reduce the six hours to three, the length of time when intoxicating liquor was supplied to the public, to a person not an inmate of the house, and not a *bona fide* traveller.

MR. A. J. BALFOUR (City of London) said that the Committee had reached a wholly different series of proposals from those they had been lately engaged in discussing, and which were really intended by the Government and their supporters to have social reform as their aim without inflicting, or intending to inflict, any injury on any portion of the community. He approached this very difficult subject, not in a controversial spirit, but in a spirit of real and sincere anxiety to hear from those who had given special study from the social point of view exactly what the effects of this restriction were, or were likely to be. He might first observe that what the right hon. Gentleman had said with regard to the accommodation which would be given in public-houses and other licensed premises to the *bona fide* traveller ruled out an argument which had figured with much prominence in these discussions—the argument, namely, that the publican, his family, and servants, were deprived of the seventh day of rest unless they had complete closing of public-houses on Sunday. Of course, if they were going to open public-houses, as he thought they must do—he was not suggesting that there was not an alternative—the argument for the Sunday rest in favour of the licence-holder, his family, and servants, fell to the ground. He would at once make the admission that the right hon. Gentleman was right when he said that in Scotland a great value was attached to Sunday closing as it had existed in that country for more than fifty years. He understood the Welsh representatives—and he thought very likely the majority of the population—took the same view in Wales. He went further. He had a very clear recollection that at the time when he was Chief Secretary for Ireland and when a Committee of the House looked into the question of extending, or making permanent and obligatory, Sunday closing provisions to the five great cities of Ireland which had been excluded from the provisions of the ordinary law applicable to the rest of Ireland, the chairman of the Committee, the then Attorney-General for Ireland, now Chief Justice, told him that witnesses of all shades of political opinion and religious conviction were practically unanimous upon the desirability of bringing that extension about. These witnesses included Anglican clergymen, Roman Catholic priests, and Presbyterian ministers in the north of Ireland. Those were very important factors of feeling which the Committee could not afford to put on one side. And yet he could not help still having some doubts upon which he should like to hear those who had studied this question, not from the point of view of temperance controversy, and still less from the point of view of political controversy—but who had really tried to see how this provision affected the classes actually touched by it. After all, the majority of those in that House, if they wanted alcoholic refreshment on Sunday, did not require, unless they happened to be *bona fide* travellers, to visit these places of public convenience; but they now had to do with the largest body of the community who, from their peculiar circumstances, necessarily had different habits in that respect from their own. They had not the opportunity which the richer classes had of storing alcoholic beverages, and, if they did store them, he was afraid it was inevitable that it would be in the form, not of beer, but of spirits, and in the form, therefore, most destructive to health and most inimical to habits of sobriety. Now, on what were his doubts founded? In the first place, he thought a great deal of the feeling in regard to Sunday closing was religious in its character; largely, but not all of it. He thought that on the whole this country had greatly gained by the fact that Sunday was regarded in a somewhat different light from that in which it was observed even by the religious and Protestant classes on the Continent. Yet he was surely not wrong when he said they had no right to approach this question from the religious point of view. Their only right was to consider it from the social point of view, as it touched the habits and practices of the people, and from the point of view of those who desired to see those habits in regard to the consumption of alcoholic liquor, greatly improved. Eliminating the religious question and adhering strictly to the social side, was there real evidence that, on the whole, the good of such restrictions out-balanced the inevitable evil? He was no pedantic individualist. He quite agreed that there were points where individual liberty might be so injurious both to the individual and to the community to which he belonged that some interference might be not only allowable, but obligatory. But they should not extend that interference beyond the point necessary. But what was likely to be the result, as it seemed to him, of preventing large classes of the community from obtaining that moderate amount of alcohol which none but those with very extreme views upon morals and physiology would regard as injurious? What effect was it going to have? One effect he was most afraid of was that it would stimulate the substitution of spirits for beer. If he were asked what he thought was the greatest misfortune that had ever happened to England, Scotland, and Ireland taken together in connection with the consumption of alcohol, he would say that it was the cheap manufacture of spirits and the substitution in large portions of the country of spirits for beer as the alcoholic beverage of the people. Though none of them defended the legislation of 1830, which was intended to promote the consumption of beer and to discourage the consumption of spirits, everybody must agree that the object the Legislature then had in view was a good one. If they could in Scotland at the present moment make his countrymen go back to what was then their habitual beverage—namely, beer—he thought they would do much more for Scottish temperance than all the Sunday closing and restrictive legislation which the ingenuity of temperance reformers could suggest would be able to accomplish. Unhappily, it was very hard to alter the tastes and habits of a very large community, but he thought they must be very careful how they did anything to encourage them. There was another point germane to this aspect of the question, though not germane perhaps to the Amendment, to which he would like to call the attention of the House. It was the subject of the very deepest alarm to everyone interested in the social life and condition of the Scottish people to see that even within the last few years drunkenness in the large towns had greatly increased. He had never yet heard a satisfactory explanation of that most deplorable anomaly. But he had been told, and he would like those who had had more opportunity than he had of investigating the facts to confirm or deny it, that the effect of the Act passed by the late Government, closing public-houses at ten o'clock instead of a later hour, had been to induce people to drink more alcohol in the last permitted moments than was consistent with their sobriety when they were driven out of the public-houses into the open air. He did not know whether that was the explanation of the increase of drunkenness, but if the theory were correct it was surely a striking illustration of the damage that might be done to the community by compelling or inducing people to take their alcohol in the form of spirits instead of in the form of beer. And were they sure that by this practice of preventing the poorer classes taking alcohol on Sundays except in the form of spirits, which they could store, instead of in the form of beer, which they could not, they were not promoting a change in custom which of all possible changes in the customs of a country would be most destructive to the moral and social life of the community in connection with alcoholic beverages? That was the first question he would ask. The point was that the poor man could not store beer, but he could store whisky. If they prevented him having his glass of beer in the public-house on Sunday, did they not compel him to store the whisky on Saturday or some preceding day? If that were so, was there not a danger, in the first place, that they would make him take spirits instead of beer to satisfy his desire for alcohol; and secondly, that they would introduce into the house the most disastrous of all evils, viz., the habit of drinking spirits, not as an accompaniment of social enjoyment, but merely to obtain that unhappy and destructive satisfaction which excess in alcohol unhappily gave.

MR. WILLIAM ABRAHAM (Glamorganshire, Rhondda): The public-houses sell whisky on Sunday as well as beer.

MR. A. J. BALFOUR: Yes, but he thought his hon. friend saw his point. It was perfectly true that if they did not have Sunday closing a man could call for whiskey as well as beer; but if they did close the houses on Sunday they did not give him the opportunity of having a glass of beer—did not give him the alternative of having a glass of beer to the carrying further of the more dangerous practice, the drinking of spirits. There was just one other point he would like to refer to, and it was really very relevant to the all-important question that they were discussing. Did the Committee think that, even if it were possible, it would be right or desirable to shut all public-houses on public holidays? He quite agreed, if he might say so, as to days of elections and so forth. But take a bank holiday, when the whole community, or, at least, the hard-working part of the community, went out for a day's enjoyment. He did not think anybody would suggest that, on such an occasion, it would be desirable even if it were possible, to prevent that reasonable and moderate consumption of alcohol which, through all ages and in all communities, had accompanied social intercourse and enjoyment. If that were so, and he thought it was, were they quite sure that they were on the right tack when they made it impossible for the poorer classes, on a Sunday afternoon, to have even the most moderate alcoholic accompaniment with their friends or relations? So far as his observation went, the habit of visiting among these classes on Sunday was greatly increasing. He thought that increase had its bad side, but it certainly had its good side. These visits kept up old ties and cemented those affections made, it might be, in the nursery, which the diverging streams of life were so apt to break among people moving in search of employment from place to place. Was it possible, and, if it were possible, was it right to say that that social intercourse should never have any alcoholic accompaniment, however moderate and reasonable, and however much in accordance with habits of perfect sobriety and in conformity with the practice of the better-to-do members of the community? He thought it was a rather strong order. He would like to be quite clearly convinced that it was necessary, and to ask again the question he had already asked: Were they not driving people on such occasions to use spirits when otherwise they might drink beer? And let them observe this in connection with this question of social intercourse on one day in the week, when the toil of the worker ceased. He did not think the Government meant to stop clubs. He was quite sure they would not stop clubs if they meant to. Clubs were open on Sundays for the very reason that it was the only day of leisure of the people who used them, and he was informed that it was a growing practice—a practice, possibly, accompanied with some vice, but also with a great deal of innocent pleasure—in London and elsewhere to have entertainment at these clubs at which the wives and the children could share the social pleasures which their mankind were enjoying. He was told that that was so.

MR. WILLIAM ABRAHAM dissented.

MR. A. J. BALFOUR said he did not speak with authority on the point, but evidence had been given to him to that effect. At present, the clubs were practically unrestricted. They were, therefore, a real index of the wishes of the people who formed and used clubs, and those who belonged to them were probably the best of the working men of the country. When they saw these clubs, by a natural process of development, having these innocent Sunday entertainments, with alcoholic refreshment, consumed, he should hope, in moderation, was it not rather a risk to say that, in regard to that portion of the community who had, from the nature of their circumstances, to go to public-houses, if they went anywhere at all for alcoholic refreshment, they and they alone among the working classes were not to have the advantage which all the working classes who belonged to clubs insisted on obtaining? He felt himself that the difficulties surrounding this problem of dealing with the alcoholic vice by restriction were so enormous that he need hardly apologise to the Committee for having so long detained them. The conscience of the community was, of course, intimately concerned with this subject, and they had the clergy of every denomination, who found, unhappily, that the weapon proper to their profession, that of preaching, was inefficacious, appealing, naturally but, perhaps, not always wisely, to the secular arm. It had been the practice of clergy in all ages. He did not say that with a sneer. It was natural, and it was almost inevitable, but he really was not sure whether it was right. The only really satisfactory way of dealing with the problem, he thought they would all admit, was to change the tastes and habits and ideas of the community. Were they going in the right direction, and were they aiming at the right ideas? When—and here again, the question of clubs came in—he saw the very best of the working classes, permitted by law, organising themselves as they pleased, and providing for themselves and their wives and their families the entertainments and amusements they pleased, on the only day on which a hard life of toil permitted them any great measure of freedom in this respect, he asked himself whether, in the first place, these members of the working class were doing any wrong, and, in the second place, if they were not doing wrong, and if they could be trusted, like the German working man or the French working man, to enjoy a moderate indulgence in alcoholic beverages, with their wives and families, in places of innocent entertainment, whether they might not have been wrong, in the beginning, in trying to make the public-house an intolerable place to anybody who did not merely wish to satisfy his appetite there, and whether the restrictive arrangements suggested by the Government, with the very best intentions, in this clause were or were not in the right direction. Upon that great problem he did not dogmatise. He had thought much about it, but he honestly admitted that he had not the opportunity—perhaps no man who did not actually belong to the class himself had the opportunity—of really gauging, not what the working man representatives preached but what the actual working man, the decent, sober, honest working man, in this country desired, and what was good for him. He thought the question was one of enormous complexity, and he had intervened so early in the debate, with a speech which, he thought, the Committee would admit was not controversial, because he knew there were many Members who really had endeavoured to study this question from the beginning, and he would be most grateful to them if they would give them the result of their ripe experience before the close of this debate.

*Sir THOMAS WHITTAKER (Yorkshire, W.R., Spen Valley) said if it would not be presumptuous for him to do so, he wished to thank the right hon. Gentleman for the spirit and manner in which he had discussed this matter. He was sure it would lead to a useful discussion, and the right hon. Gentleman would be the first to recognise that he had raised some very important points and far-reaching issues. The right hon. Gentleman had expressed doubts as to whether restriction generally ever had been beneficial. He thought, however, they would all admit that the restrictions which had during the last sixty or seventy years been gradually brought into operation had been beneficial. If they went back sixty or seventy years the public-houses of this country were practically open all night. Then they were closed for just one hour, and gradually the closing had been extended. On Sundays they used to be open the whole of the day, except during the divine services in the church in the morning and afternoon, but gradually restriction was introduced, and he thought everybody would admit that that restriction at any rate had been beneficial. They had no proposal from any quarter of the House to go back upon those restrictions, they had no suggestion that they should have longer hours than they had now, and he submitted that was pretty strong evidence that the country as a whole agreed that the restrictions which had been put upon the sale of drink had been beneficial. He thought they might fairly ask themselves if they had reached the limit at which they could produce beneficial results. Reference had been made to the Continent, but he thought they were very apt to be misled about the condition of things on the Continent. All the great Continental nations were rousing up and awakening to the evils of intemperance in their midst. Germany, France and other nations were moving. Temperance organisations, formed not by teetotallers, but by people who wished to reduce drinking and the drink evil, were very active and vigorous in France, Germany, and other countries, and a change was coming over the spirit of the people. He thought that those who went across to Germany and said they did not see drunken people were under a misapprehension as to the state of things there. Visitors might walk about London, and how many drunken men would they see? They might not see any drunkenness, and say that the drink evil was much exaggerated in this country. The right hon. Gentleman referred to the undoubted very large increase of arrests for drunkenness in the large towns of Scotland since the passing of the Act for which the right hon. Gentleman and his Government were responsible, which gave to the large towns the power to close at ten o'clock at night. He would point out that all the small towns had had the same power long before the Act. It was an optional power, and it was used by every town in Scotland that had the power to use it. The point came up before the authorities every year, whether they would continue the earlier closing for another year, and every town that had that power had used it. That was very strong evidence, it seemed to him. Then the power was given to the large towns of Scotland, and every large town in that country, the moment it got the power, used it, and each succeeding year had continued to use it. He suggested that that was pretty good evidence, at any rate, that in the opinion of people on the spot who knew and would suffer, early closing did not cause any evil or inconvenience. They would not every year have continued these early closing powers if they did not themselves know that they were beneficial. The number of arrests for drunkenness was not by any means a test of the amount of intemperance, because the number depended upon the character of the people, on their occupation, on the condition of trade, and above all upon the activity of the justices and police. The right hon. Member for West Birmingham had once said that in Birmingham one turn of the screw would increase the arrests for drunkenness several-fold. It was a curious fact that the number of arrests increased as public opinion became alive to the evil, not because there was more of it, but because public opinion was aroused. The authorities of Glasgow found it difficult to say what was the cause of the increasing number of arrests for intemperance there.

They did not say the early closing was the cause, but they did think that the increased activity of the police was one cause. If they closed public-houses at ten instead of eleven o'clock the men who turned out in a state more or less of intoxication came out at a time when there were more people about than there were at eleven o'clock, and would be much more likely to be arrested in a thoroughfare which was crowded than they would be if turned out later when fewer people were about. There was another fact. In Glasgow, there had been a great development in the tramway system, which not only took people out, but brought in a great number of people from the outlying districts, especially on Saturdays. One very important fact was that one-third of the total arrests of the week in Glasgow took place on the Saturday, and they were very largely due to the influx of people from outlying districts. A more important matter, however, was to be found in the fact that a policeman was not always anxious to arrest a drunken man if it involved his attendance at the police Court the next morning, when he ought to be off duty and taking his rest. Consequently a night policeman was disposed to allow a drunken man to pass along, if able to do so, to the next beat. But what had happened? Recently in Glasgow the authorities had made a regulation which provided that when a man was arrested for drunkenness and brought before the magistrates the next morning, if he pleaded guilty the attendance of the policeman was dispensed with, but if he pleaded not guilty he was remanded for twenty-four hours, when the policeman would be in attendance to give evidence. The result of that regulation was that nine out of ten persons arrested pleaded guilty, and that had added to the activity of the police, who were more ready to arrest drunkards than before the regulation was made. No one attributed increased drunkenness to early closing.

Mr. LUPTON (Lincolnshire, Sleaford): Will the hon. Member say whether, when a man pleads "not guilty" and is remanded for twenty-four hours, he is remanded in custody?

***Sir THOMAS WHITTAKER** said that did not affect his point, which related to the attendance of the policeman. The right hon. Gentleman the Leader of the Opposition had expressed the fear that this restriction would lead to increased drinking of spirits. He could not help thinking that the brewing trade of this country, business men as they were, could be trusted to meet the demand for beer and had proceeded in that direction by means of the bottle and jar branches of their trading. There had been an enormous development in that branch, and he believed the brewers would meet it. His conviction was that in Ireland there had been a growth in the consumption of beer as compared with spirits since the Sunday Closing Act had been enforced, and that Sunday closing there had not led to an increased consumption of spirits. Our experience further led him to believe that facilities for obtaining beer also led to the consumption of spirits. The Act of 1830 not only increased the consumption of beer enormously but also of spirits. The difference between the consumption of beer and of spirits was largely a matter of climate. The Scottish people, for instance, did not readily take to beer. It was in the colder countries and in the damper weather that spirits were more greatly consumed, and in this country the consumption of spirits varied according to the time of the year and the weather. He could not view with the right hon. Gentleman's complacency the growth of the Sunday opening of clubs, with their entertainments and facilities for the supply of alcoholic liquor. That development was very undesirable, and it would be going the wrong way to work if they accepted that as a reason for leaving open the public-houses. In the large towns many clubs were a combination of the music-hall and public-house, and had two entertainments on a Sunday. He could not regard that as satisfactory. With regard to Sunday closing, he was reminded in passing that in Norway there was not only total closing on Sundays and public holidays, but in most places the public-houses were closed at 5 p.m. on the days preceding those mentioned. There was none of this increased consumption of spirits which the right hon. Gentleman feared. All the views just advanced by the right hon. Gentleman had always been put forward when Sunday closing legislation for any part of the United Kingdom was discussed. When the Sunday Closing Bills for Scotland, for Ireland, and for Wales were brought in they were assured in each case that evils and dangers would be the result of their efforts; that there would be more drunkenness, people would be inconvenienced, and the whole thing would be a failure. But in each case a Committee or Commission had been appointed to inquire and report—and whether in Scotland, Ireland, or Wales, the Report had been in favour of closing, and that the allegations as to failure and evil results were quite unfounded, and that the Act had been a great success. They were often told that Sunday was a very drunken day in Glasgow, but he had figures which showed that the number of arrests for Sunday drunkenness was infinitely smaller than the number on other days. Taking the Saturday, from 8 a.m. Saturday to 8 a.m. Sunday, the number of arrests for that cause was 8,870, whereas from 8 a.m. Sunday to 8 a.m. Monday it was only 437 and from 8 a.m. Monday to 8 a.m. Tuesday the number went up to 2,622. Those figures spoke for themselves, and showed that these were far higher on Saturday than on any other day, because the men then had got their money—besides which, large numbers of people were in from the surrounding districts. Saturday was the great drinking day. It was a great boon to the people of Glasgow that there was Sunday intervening because they could get to work in something like condition on Monday. Employers of labour knew the difficulty of getting their men to work on Monday morning where there was not Sunday closing. These figures showed that Sunday closing did promote temperance. Coming to Ireland, and taking a period of two and a half years before the Sunday Closing Act was put in force, he found there were during that period 11,887 arrests for Sunday drunkenness, whilst during the two and a half years after the passing of the Act the number was only 4,269. In the five great cities of Ireland the Sunday Closing Act did not operate, but taking the country as a whole, the arrests after the Act was enforced were one-third of the number previous to its adoption. There was a very useful comparison to be found in the case of Cardiff and Newport, two large Welsh towns near each other, and with a population somewhat similar in character, but one of which was in the Sunday closing area and the other outside it. He found that in Cardiff the arrests on Sunday were only three per 100,000 population, whilst in Newport the arrests were fifty-six per 100,000.

MR. JESSE COLLINGS (Birmingham, Bordesley): They were all Cardiff people, perhaps.

*SIR THOMAS WHITTAKER (dissented. He said the right hon. Gentleman was thinking of the border in line Monmouthshire. Newport was several miles from Cardiff, and the people would not go all that distance for this purpose. After the adoption of the Sunday Closing Act the consumption of spirits in Scotland fell away very considerably indeed, and with regard to Ireland, where the Act was put in force in 1878, the consumption of spirits fell from 19,000,000 gallons during the three years previously to 15,600,000 gallons during the succeeding three years—a difference of 3,400,000. The fear of the right hon. Gentleman that Sunday closing would promote the drinking of spirits was not indicated by the figures he had cited. He wished the Government could see their way to enact total Sunday closing, and then give authorities the power to allow such exemptions as they might think necessary in their own localities. He could not conceive that because a plausible case was made out here and there for a house remaining open that was a justification for allowing all public-houses to remain open everywhere. A point had been made as to the inconvenience that would be caused by the Act, but they ought not to think as much of the convenience of those people who wanted a glass of beer on Sundays as of those residents in outlying districts which were turned into a pandemonium for several hours on the Sunday by the numbers of those who came out there to get a glass of beer. The question should be regarded all round. Then as to the cup of tea question. Tea and other refreshments of that character could be obtained at public-houses during the hours they were closed without breaking the law. He had found no difficulty in obtaining a cup of tea in public-houses during closed hours.

Mr. LUPTON: Does that cup of tea refer to people within the three miles radius?

Mr. RAWLINSON (Cambridge University) invited the right hon. Gentleman to read the subsection—

> "Premises in which intoxicating liquors are sold by retail shall be closed during the whole of Sunday, except for one hour between noon and 3 p.m., and for two hours between 6 p.m. and 10 p.m."

*Sir THOMAS WHITTAKER: Yes, for the sale of intoxicating liquor. ["No, no"; and an Hon. Member: It does not say so.]

Mr. ASQUITH: The section has never been construed in any other sense than that premises are to be closed for this particular purpose.

Sir THOMAS WHITTAKER said the practical test of the value of earlier or total closing was the practical experience of those parts of the United Kingdom which had had Sunday Closing and Early Closing Acts in force. No Member of the House representing constituencies in Scotland, Ireland, or Wales had at any time suggested either the repeal or the weakening of those Acts, nor had any representative authority in any of those countries passed a resolution asking the House to modify or repeal those Acts. The real test was the knowledge and experience of those who had lived under those Acts for thirty to fifty years. That experience and knowledge were practically unanimous so far as those countries were concerned as regards Sunday closing.

Earl WINTERTON did not think the right hon. Member who had just delivered a most interesting speech had dealt with the question before the Committee as to how far the suggestions proposed in the clause would go to restrict drunkenness. The right hon. Gentleman and others had approached this question from the point of view of Sunday closing, and had instanced the effect of total Sunday closing in Scotland, Ireland, and Wales. What they had to deal with was not so much the advantage or disadvantage of Sunday closing as a whole, but the actual proposal to reduce the hours of opening from six to three. The point was, would those reduced hours have the effect claimed for them, and restrict drunkenness. He personally failed to see that the proposal would have that effect. No one could deny that the moderate or temperate drinker would be inconvenienced by the clause—that the man who was perfectly temperate, and who desired to obtain moderate and reasonable refreshment, would have less opportunity of obtaining it than before. Was it the intention of the Government to make it harder for the moderate drinker to obtain his drink on Sunday? He believed the Government were not in favour of the moderate drinker being inconvenienced, and he failed to see that the subsection would be of any practical benefit in reducing intemperance. The immoderate drinker, who would resort to the public-house on Sunday, would have as much opportunity of getting drunk in three hours as in six. No doubt another argument would be used in favour of this restriction that it was in the interest of the publican and his servants that this restriction should be put in force. That argument had been greatly used in the country. Hon. Members opposite were ready enough to deprive the publican of his living, and to put every possible slur on his character, and had done all they could to restrict his selling on Sundays, but like the Member for Appleby they had not much regard to the hours of rest——

*Mr. LEIF JONES (Westmoreland, Appleby): I myself and those who think with me do not cast slurs on the publicans. What we say is that it is so dangerous a trade that not even men of the best character can carry it on without great evil resulting.

Earl WINTERTON understood the hon. Gentleman to say that it was a degrading trade, and that the evil was due to the publican and the brewer. He did not think the exceptional regard shown by hon. Gentlemen opposite for the liberty of publicans should be taken as a deep conviction. The Prime Minister had spoken of the facilities that could be obtained in these houses, even during the hours when they were closed, for non-alcoholic refreshment and food. He agreed with the right hon. Gentleman on that point. He thought the law of the Prime Minister and of himself was better than that of his hon. friend the Member for Cambridge University. Whatever the words of the section might be the publican could always be induced to sell such things on a Sunday. Whilst it was true that it had always been the custom that a man could obtain non-alcoholic refreshment, in nine cases out of ten he had not been able to obtain it, because, as a matter of fact, the public-house was locked up. The right hon. Gentleman had not realised that. He might have been exceptionally fortunate in finding a publican willing to serve him with tea or whatever the beverage might have been during closing hours; but in nine cases out of ten he would not have been able to obtain any refreshment. The effect, therefore, of having the licensed premises open only three hours instead of six would be that except for three hours it would be impossible to get refreshment of any kind. That was the real effect of the subsection. He did not believe such a provision would reduce drunkenness, whilst it would certainly make it more difficult for the temperate drinker to obtain alcohol in a perfectly proper fashion. He hoped on this ground the Committee would support the deletion of the subsection. He thought they should have stronger evidence before the subsection was passed. There was another point. Houses were to be allowed to be open one hour between noon and three and two hours in the evening between six and ten, and it would be for the justices to declare what those hours were to be. That would lead to enormous inconvenience and trouble throughout the country. In one district the justices might select the hour between twelve and one, in another that between one and two, and in a third that between two and three. Personally, he considered the justices should be compelled to allow the houses to be open during the actual dinner hour. If justices fixed the hour between two and three, workmen would not be able to get their dinner beer and great hardship and inconvenience would result. The clause, he thought, afforded another instance of how badly advised the Government had been in drafting their Bill. The general question of total Sunday closing had not very much to do with the Amendment, but the right hon. Gentleman the Member for Spen Valley had introduced a great deal of contentious matter on that subject, purely, he ventured to say, for the purpose of creating prejudice, and he had taken the opportunity of making a very cruel and uncalled for attack upon the Glasgow police, suggesting that in certain circumstances they would be unwilling to do their duty, because they would be put to a little personal inconvenience. He held no brief for the Glasgow police, but he had been to that city, and after seeing the difficulties in the way of drunkenness with which they had to deal, instead of being condemned, he thought rather that they were entitled to sympathy. He did not wish to go into that matter, but he thought a protest ought to be made against the attack, which was not the first they had heard from the benches opposite, upon the methods of the police in carrying out the law and preventing drunkenness in the country. As that right hon. Gentleman had referred to Sunday closing, perhaps he might be allowed to quote a few figures on the subject. It was exceedingly difficult to get accurate figures as to the arrests and convictions for drunkenness on Sunday in England, Scotland, and Wales. Apparently there were no statistics after 1895. As far as the statistics went, they were as follows: In 1885 there were in England per 1,000 of the population ·50 convictions for drunkenness, without Sunday closing; and in Wales, ·55; in Scotland, ·58; in Ireland, 1·10 with Sunday closing. Again, in the years 1886 to 1890, ·49 per 1,000 in England; in Wales, ·72; in Scotland, ·58; in Ireland, 1·21. Then in the years 1891 to 1895, the figures were: England, ·42; Wales, ·57; Scotland, not given; Ireland, 1·07. They had been challenged on this question by some of the speakers opposite, and perhaps the hon. Member for Appleby would enlarge upon the subject. They did not say on that side of the House that total Sunday closing had much to do with this particular question; but, where it had been in force, the statistics by no means justified the view taken by hon. Gentlemen opposite, that it had had a great and good effect. The same conclusion was to be drawn from the statistics of drunkenness in border counties—Brecon and Glamorgan on the one side, and Hereford and Monmouth on the other. The last year available was the year 1907, and the figures were as follow: number of cases of drunkenness per 100,000 of the population: Brecon, 696; Glamorgan 870; Monmouth, 390; Hereford, 188. From a statistical point of view he failed to find anything to uphold the contention that Sunday closing in Scotland, Ireland, or Wales had been anything like a success. Sunday closing, as the Leader of the Opposition had said, was generally popular in Scotland. He believed the same was the case in Wales; and in neither case was there any suggestion to do away with it; but that applied to total Sunday closing and not to partial Sunday closing, as proposed by the Bill. It was entirely a different matter whether the people of Scotland and Wales were wise and justified by statistics in having Sunday closing. Just as many magistrates could be found to express themselves against as for Sunday closing, and in this matter they must rely to some extent upon the statistics of drunkenness, which, so far as they went, afforded no real evidence to support the view that Sunday closing had been a success. The whole point before the Committee was whether three hours of opening instead of six was likely to have the slightest beneficial effect in the direction of temperance. He maintained it would not. On the other hand, it would cause great inconvenience to the moderate and temperate drinker. He considered the clause was badly drafted, and he particularly objected to the provision requiring magistrates to fix the hours of opening, having regard to the fact that they might select the hour between two and three, which would be of no use to anybody and would not enable the working man to get his dinner beer. He submitted that no evidence had been brought forward in support of this proposal.

MR. BARNES (Glasgow, Blackfriars) said that, in the first place, he would like to associate himself with the observations which had fallen from the other side as to the speech of the Leader of the Opposition. That speech was fair and considerate, and, so far as concerned those represented on the Labour benches, was sympathetic. He was glad to find that the discussion, so far as it had gone, was in the main on those lines. Like the Leader of the Opposition, he did not approach this subject from the point of view of the rabid teetotaller or, to use the right hon. Gentleman's own phrase, a "teetotal faddist." He was speaking only for himself, his colleagues not being all agreed upon this particular Amendment; but he thought he might say not only for himself but for all his hon. friends on the Labour benches, that they approached this particular question not from the point of view of the teetotaller, but from the point of view of the ordinary citizen interested in good government and in minimising what they considered to be a great national evil, detrimental in its effects upon the community generally, and especially to the class to which they belonged. He was going to vote against the Amendment and in favour of the Bill as it stood. In the first place, as a reason for that, he would like to associate himself with the Prime Minister in what he had said with regard to Scotland. Of course he was not old enough for his memory to go back to the period previous to the Forbes Mackenzie Act, but he had spoken to people who were old enough to remember what was the condition of the Scottish people in the days preceding that enactment, and to compare it with their present condition. Everybody acquainted with the circumstances agreed, he thought, that the result of the Act was seen in the great improvement which had been effected in Scotland; and as had been pointed out, no representative man or woman would think of reverting to the opening of public-houses on Sundays. They knew, of course, that there were microsopic cases of shebeens and similar places known only to the police and to habitual drunkards;

but, so far, everybody in Scotland admitted that at all events for one day in the week they had, by Sunday closing, something like law, decency, and order in Scotland, and for that reason all were agreed, or every representative person at least would agree, that this Act should remain. They had the same case in Wales, but his friends from the Principality would deal in more detail with that part of the subject. They had heard convincing testimony from Wales, however, of the same thing happening there since the introduction of Welsh Sunday closing. He supported the subsection on two grounds. First of all, it reduced the number of hours worked by the staffs of public-houses. That, he thought, was a legitimate cause for his support of the subsection, because they knew that the hours of these attendants in public-houses were far too long. He believed that some of them worked up to seventy and eighty hours a week, and even longer than that. He was sorry that London was not included in the operation of this particular clause, because in all conscience the hours of public-house servants in the Metropolis were long enough for an ordinary day let alone Sunday. However, they were disposed to support the Bill as it stood because to some extent it limited the time during which employees would be engaged in those houses. He was quite ready to have clubs put under reasonable regulations. His colleagues had met and discussed the matter, and later on, no doubt, they would be able to give their opinion upon the question, which was not now, however, under consideration. In the second place, the Labour Members supporting this particular clause did so because they believed that it minimised the temptations to drink. He was inclined to think with the Leader of the Opposition that they had taken perhaps to some extent a wrong view of this question. He held that the public-house should not be made an intolerable place but a place of reasonable refreshment, apart from alcoholic drink, and that if they had made it so they would have minimised the temptation to drink and improved the tastes of the people. He held that the great thing was to improve the tastes and habits and ideas of the people. The public-house as a whole was a brutalising place and it brutalised, and he wanted to minimise the temptation to go there as much as possible. They would be far ahead of public opinion to close public-houses, especially in London, all day on Sunday, and, moreover, he would like to retain reasonable opportunities for people getting what was legitimate. It was a fact that a large number of people in England had a practice of having a little alcoholic liquor with dinner on Sunday. It did no one any harm that he knew of. The habit did not exist in Scotland because Scotsmen were so thrifty that they only had two meals on Sunday. But in England it was customary, and it was reasonable that the public-house should be open so that beer might be obtained. But it was altogether unnecessary to have public-houses open for two hours during the middle of the day for that purpose. The fact of opening for two hours simply meant that men would go there when the house opened and remain till it closed, and if they did not do that they would not get so much to drink and would be in a better condition when they went home to dinner. It was not so much for that that the public-house was open, because the clubs came in here and afforded that opportunity for reasonable social intercourse, and did it far better than the public-houses. He was in favour of a one-hour opening in the daytime and two hours in the evening. That was a reasonable compromise and as far as public opinion would enable them to go at the present moment. The Leader of the Opposition might dismiss from his mind, so far as he and his colleagues who were supporting the Bill were concerned, the idea that it had any religious aspect. Something had been said as to the change in the drinking habits of the people from beer to spirits, and, so far as he could gather, the right hon. Gentleman seemed to think that the Closing Acts in Scotland during the last generation or two had given rise to it. But it seeemed to him that the change had its origin long before that legislation was thought of. He was inclined to think that in addition to climatic considerations the pressure of life to-day had something to do with the changed habits of the people in Scotland and elsewhere. It was a fact, he supposed, that whiskey had a more exhilarating effect, for the moment at all events, than beer, and he thought the ordinary pressure of life, the intensity of competition, and the fact that people had to work harder and that life altogether was becoming ever subject to increasing pressure and anxiety, had a good deal to do with the fact that people drank more whiskey than they used to do. At all events he supported the clause because on the whole it would minimise the temptation to drink. It was reasonable, and he hoped the House would pass it as it stood, because he held it would meet not only the demand of the organised temperance reformers of the country, of whom he was not one, but would tend to the benefit of the great class whom he specially represented.

*MR. W. JOHNSON (Warwickshire, Nuneaton) said it was not only the working classes who drank on a Sunday. Not only in London but in country districts the middle classes and some of the upper classes took their share of drink at public-houses on Sunday. He had for a long time objected to the working classes being saddled with this accusation. All classes did their share, and probably the working classes did the least. He belonged to the working classes and he knew something of them. He had lived the life. He was not a total abstainer and he was not one of the temperance wolves, though he spoke in the interests of temperance and was as good a temperance man as there was in the House, and he was going to support the Bill, and especially this clause, through thick and thin. The late Chancellor of the Exchequer had quoted some observation of his to the effect that the workmen would get their drink as easily after the Bill was passed as before. He adhered to that statement which he had made in connection with what the opponents of the Bill said, that it was robbing the poor man of his beer. It would not, because he would get it if he wanted it. But they wished as far as possible to destroy the facilities by which he was tempted to drink and to take away the opportunity. But he could get it as easily in three hours as six after the Bill was passed, and he could get beer as easily as spirits. If it was a question of taking it home he might buy a pint of whisky on Saturday night for 2s. If he wanted beer he might call on Saturdays at several places and order a dozen of bottled beer or stout for 1s. 6d., and it would be sent. He would not have the trouble of carrying it home. If he preferred beer or stout he would get it. There were plenty of off-licences willing to send in a dozen bottles of beer for 1s. 6d. better than he could get in a public-house—the brewer took care of that—or the brewer himself would send the beer and no trouble about it. In reference to the hour at dinner-time, in his district the public-houses were open from 12.30 to 2.30, and he found that men were tempted to stay till half-past two. The dinner hour was from 12.30 to 1.30 and they got late for dinner. Their wives and families had had it, and there was very often a row when the father went home. If the houses were open only from twelve to one or half-past twelve to half-past one, the fathers would get home and prevent a row which perhaps, lasted a whole week, whereby the man was tempted, through the righteous nagging of his wife, to drink for the remainder of the week. He had held meetings on Sundays and kept them on till half-past twelve, and men had been tempted to stop at the public-house, and he had been blamed for it, perhaps rightly. Of late years he had had the meetings at ten o'clock, and had them over at half-past eleven, so that the blame should not be on him. Men would do this, and they could not stop them. Any man who attempted to stop him having his glass of beer on a Sunday or any other time would find he had a difficult subject to deal with. He had always told his children, and he believed it was a thing they should all instil into the minds of children, that they should go to a place of worship once on Sunday, and never be late for dinner. If a man had strength of character to carry out those two things it was safe to say that he would not get drunk. In his own district there were ten clubs and they were all closed on Sunday except one. He belonged to all of them. He was in favour of closing clubs on Sundays. But they must have some regard for human nature. He knew a choir in a church who, after the service, rushed round the corner to the public-house. He believed if public-houses were open one hour in the day-time and two hours in the evening, more people would attend places of worship. [MINISTERIAL cheers.] He had practical experience of this life. He would be sixty years of age next year, and his father drank as much beer as any man in the world. He got it as part of his wages, and he could stand his share. Even boys had beer in those days as part of their wages. The old saying was, sixpence a day and a candle and half a pint of drink. They used to say to him: "John, you are drunk," and he would reply: "Yes, but not at your expense." "John," they would say, "what a red face you have got." "You could have one if you would go to the expense of it," he would reply. But his father, although he had plenty of drink in the week never went to a public-house on Sunday, and he (the hon. Member) was the eleventh child; he was the biggest of the lot, and his mother used to say he was a beauty. What was done in those days could be done now. If they were having friends on Sunday they could get the beer in on Saturday night. They wanted to put as few temptations in the way of people as possible, and he thought one hour in the middle of the day on Sunday and two at night were quite sufficient. He believed Sunday closing would be for the benefit of the country. He would not only support that clause, but the whole of the Bill.

*MR. JESSE COLLINGS declared that he was a temperance reformer of many years' standing. He had supported temperance societies with time and money; but he parted with them when he found that the cause of temperance had only the second place in their efforts. In their political work they had been the great barriers to temperance reform. This Bill had been advocated as a religious question. He had received a circular from the Lord's Day Observance Society which strongly advocated this clause in order to secure devout observance of the Lord's Day. That society had done more damage to real religion than any society he knew. [MINISTERIAL cries of "Oh! Oh!"] He succeeded as chairman of the committee in Birmingham some years ago in opening the Public Library and Art Gallery on Sundays. That society was the great opponent of the proposal. When the Lord's Day Observance Act was put into force in a district in America he remembered a man being asked what was the effect of it, and he replied that whereas formerly the men used to go out on Sunday morning with their axe on their shoulder to mend fences, now they went out at the back door with the axe carefully concealed under their coat to do the same work. They could not make people religious or sober by Act of Parliament. As to the Continent, the condition of things there was different from what it was in England. He had seen a building in Germany in which there were a post office, a church, and a public-house. The Leader of the Opposition had said that it was difficult to alter the habits of a people. The right hon. Gentleman was referring to the task of weaning the Scotch from whisky drinking to beer drinking. But by this Bill it was sought to wean the English people from beer drinking to whisky drinking. Most people knew the immense difference between spirit drinking and beer drinking. Some years ago he went with the right hon. Gentleman the Member for West Birmingham to Sweden to examine their system, and what did they find? They found that the temperance party there had established a number of beer-houses where light beer was sold, and which were called temperance houses.

MR. MADDISON (Burnley) on a point of order, asked if the right hon. Gentleman was in order in dealing with the general question.

*THE DEPUTY-CHAIRMAN: I have been watching the right hon. Gentleman for some time. I do not think he is in order. The question before the Committee is a very limited one and the discussion must be confined to the subject raised in subsection (1), namely the further restriction of the hours of sale of intoxicating liquor by retail on Sunday.

*MR. JESSE COLLINGS: I think you were not present when the Prime Minister and the Leader of the Opposition delivered speeches in which they dealt with the drinking of whisky and beer.

*THE DEPUTY-CHAIRMAN: I was in the House at the time. The right hon. Gentleman knows from his large parliamentary experience that, for the general convenience of the House, a certain latitude is allowed to the Prime Minister and to the Leader of the Opposition in reply, which cannot be claimed by other speakers.

*MR. JESSE COLLINGS: Is it out of order to say that these proposals will lead to spirit-drinking instead of beer-drinking?

*THE DEPUTY-CHAIRMAN: The subsection simply refers to the further restriction of the hours of sale by retail on Sundays.

*MR. JESSE COLLINGS said that was the whole point of his argument. He was arguing that the proposal in the Bill would wean the people from beer-drinking to spirit-drinking. Why should "the Metropolitan district" be excluded from the operation of the clause? [Several MINISTERIALISTS: Put it in.] Such immense cities as Birmingham, Manchester, and Liverpool were to be subject to these rules, but the Metropolitan area was to be left out. Were the Government afraid of the turmoil and disturbance which would happen if they included the metropolitan district? He should certainly like to have some answer to that. The arguments of the right hon. Gentleman the Member for Spen Valley were summed up in the statement that restrictions lessened drinking, or lessened drunkenness. That was begging the whole question. The one thing in dispute which had not yet been settled was whether or not restrictions did lessen drunkenness and drinking. The hon. Member for the Blackfriars Division of Glasgow said that public-houses were brutalising places. [MINISTERIAL cheers.] Yes, he thought when Ministers spoke of public-houses they were thinking of the large drinking palaces of London, Glasgow, and other places, but they forgot the ten, twenty, or a hundred-fold number of public-houses which existed in various parts of the country, in the towns and villages, where public-houses, so far from being brutalising, were the only places that could afford social intercourse. [MINISTERIAL cries of "No."] Yes, the only places that could afford social intercourse. [Cries of "No."] He agreed that the better they could have them, the better it would be, but restrictions would never make them better. Why were such places on the continent so well regulated? They were places where men could take their wives and families and enjoy themselves. Simply because they were not restricted. The more restrictions they put on public-houses in this country, the more likely they would be to lower the character of them. He objected to this further curtailment of personal liberty. The hon. Member for the Blackfriars division had not a word to say about this further infringement of individual liberty. Some hon. Members remembered the great struggles which took place to secure individual freedom, and now they witnessed gentlemen who called themselves democrats on every possible occasion supporting the restriction of individual liberty. He could quite understand why the Socialist Party below the gangway should do so. They wanted to destroy all individualism.

MR. HODGE (Lancashire, Gorton): No.

*MR. JESSE COLLINGS said he thought that was so He had studied it closely, and he believed the main object of Socialism was to destroy individualism, and to put in its place collectivism. Tyranny over the individual was its first consideration. He had some sympathy with the statement of the Bishop of Peterborough, who said—

> "It is better to have a country free than sober."

Of course, it was an epigrammatic way of putting it, but the truth that underlay the statement was undoubted. If they made men free, other advantages would follow. He objected to this proposal of the Government because it would not diminish drunkenness. It would increase drunkenness. [MINISTERIAL cries of "No."] It was all very well for hon. Members who had cellars of their own and servants to go down for their drink to cry "No," but he was speaking of the masses of the people. The argument about laying in a stock had been brought forward, but the stock would consist mainly of spirits, and that would lead to an increase in home-drinking. Most of the advocates of the lessening of the hours for public-houses on Sunday outside the House, and some of those inside, were people whom those restrictions, or any other restrictions, would not affect. They were talking now of people in the large cities who lived in houses of one or two rooms, and he wished to know where they were to lay in a stock. Those people were the majority, and the Government and the supporters of this clause were piling up legislation to increase their discomfort. This would give an enormous impulse to the formation of clubs. At present a man would go to a public-house for an hour or two on a Sunday evening to smoke his pipe, and have one or two glasses, and enjoy social intercourse, but under this proposal he would barely have time to do that, and he would imbibe as much drink as he could in a short time, and he might take something away with him. Which was the better way ? In the one case he would take a glass or two and be satisfied ; in the other case he would take a great deal more than he would otherwise do. The hon. Member for Nuneaton had frankly stated that no drunkard would ever drink less. This Bill created no distinction where a distinction ought to be made, namely, between the ordinary drinker and the drunkard. Out of 18,000,000 adults in England and Wales 99⅞ per cent. were ordinary drinkers and sober people, and only ⅛ per cent. drunkards. The Government sought by this Bill to treat the whole nation as drunkards. Tho two classes must be divided, treating one as lunatics who ought to be subject to special legislation, and the other as free and sober men whose liberties ought not to be interfered with. He supposed the Chief Constable of Monmouthshire ought to know something of the effect of Sunday closing. That official had stated that Sunday closing in Wales was a nuisance to the county, and his opinion was that if the Sunday Closing Act was extended to Monmouthshire drunkenness and disorder would be largely increased. That was an opinion worth answering, but he had seen no answer to it up to now.

THE UNDER-SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. HERBERT SAMUEL, Yorkshire, Cleveland): Did he say that drunkenness had largely increased ?

*MR. JESSE COLLINGS: He said that drunkenness and disorder would largely increase if the same conditions were applied to Monmouthshire. Perhaps the Under-Secretary will give some answer to that.

MR. HERBERT SAMUEL: The Chief Constable is in favour of the extension of the Sunday Closing Act to Monmouthshire.

*MR. JESSE COLLINGS said the statement he had quoted was contained in the Report of the Chief Constable of Monmouthshire, dated July, 1904. He did not say whether the Chief Constable was right or wrong, but the Committee were entitled to some answer from those who were arguing in support of the clause now before them. As a rule, restrictions increased drinking of the worst form. Statistics showed that in England fewer people were proceeded against for drunkenness than in the other parts of the kingdom where restrictions existed. On the Continent where there were no restrictions there was less drunkenness than in England. Now when on-licences were decreasing rapidly, and off-licences were decreasing slowly, clubs and other facilities for drinking were increasing rapidly. Therefore, on the ground of temperance he opposed this further restriction.

THE LORD ADVOCATE (Mr. THOMAS SHAW, Hawick Burghs) said the question before the Committee was whether the existing six hours on Sunday should be limited to three hours. If he did not misapprehend the argument of the hon. Member for the Bordesley division, it was that they should revert to Sunday opening. He was not quite sure that the right hon. Gentleman had thought out what would be the result of that change. He did not desire in this debate to deal in any controversial spirit with the matter before the Committee. He was, in common with the whole House, deeply impressed by the speech of the Leader of the Opposition in which the right hon. Gentleman expressed his anxiety to hear from those who were acquainted with the system of Wales and Scotland how the matter had worked in those countries. The right hon. Gentleman the Member for Bordesley seemed to cavil at the exclusion of London from this clause.

*Mr. JESSE COLLINGS: I only asked an explanation.

Mr. THOMAS SHAW said the explanation of that, as the Prime Minister had already explained, was that it was extremely desirable in these reforms not to go too far in advance of public opinion, and by the Majority Report of the Licensing Commission London was left out. A third point was that he thought no better index of public opinion could be found than the House of Commons, and the Government would be very glad indeed to know what was the opinion of the House upon this question. Now in what he was going to say as to their experience in Scotland, he was not going to speak as a Member of the Government, and he hoped that anything he would say would be by way of assisting the House to draw some kind of picture of what had been their experience in Scotland on this point. He must premise his remarks by saying that he failed to understand the right hon. Gentleman opposite when he introduced the word "tyranny" into a matter of this kind. The people of Scotland were supposed to have as much love of freedom as those of any other nation, but they had been groaning under this "tyranny" of Sunday closing ever since 1853. He could assure the House that they liked it very much. Not only that, but they would deplore the day when it was proposed to abolish Sunday closing, even to the extent of a single hour. He did not think there could be found amongst the Scottish representatives for the past generation and a half any one who would come to the House of Commons and attempt to revert to the pre-1853 days. He had inquired from old men their experience and they told him how the constrast between the period before that time and the subsequent period had struck their minds. They said, of course, that two things were quite clear. In the first place the contrast was vivid when the Act came into effect, but, in the second place, as years went on, it was most remarkable how Scotland had adapted itself to the change, how the Act squared with the moral, religious, and social life of the people, and how now the idea of making any such contrast was one for the historical student. He had made inquiry, and he would state the result to the Committee. He would take the town of Leith. It had a mixed population, the component parts being Scotsmen who lived there and a certain seaport influence which always had to be considered. With regard to that town, and also, he believed, Glasgow, old people had told him that on Sunday the situation was of the most deplorable description. The works were closed, so that the people were free to amuse themselves, to debase themselves, or to elevate themselves according to their own desire. When people proceeded to public worship the streets of Leith were positively in many cases infested to a certain extent by drunken men and women; so as to make parents almost regret that they were accompanied by their children in going to the House of God. Now all that was changed. It was a change from the days of liberty to the days of "tyranny." Now they had a state of comparative peace, almost of absolute peace.

Mr. JESSE COLLINGS: And less drinking?

Mr. THOMAS SHAW said he did not think his right hon. friend committed himself to the statement that in consequence of this there was an increase of drinking.

Mr. JESSE COLLINGS: I only said that it was stated so.

Mr. THOMAS SHAW said he did not know what the right hon. Gentleman's experience in England was, but every Scotsman would agree that it was perfectly fantastic to make such a suggestion.

The arrests for drunkenness must count for something; and the Sunday arrests for drunkenness in Glasgow were eight and on Saturdays the arrests for drunkenness were 107. How then could it be maintained that by closing the public-houses on Sundays they increased drunkenness on that day? His experience was founded on interviews with men and women who had known the period when there was no prohibition on Sundays. He could assure the Committee and the Leader of the Opposition, in answer to the question put by that right hon. Gentleman, that it was hardly possible to over-rate the confidence of the Scottish people that in passing the great Act of 1853 they had done upon the whole a wise thing; and, as he had said, any endeavour to abolish Sunday closing and to revert to the old system would produce the nearest approach to a revolution on any social question he knew of.

Mr. A. J. BALFOUR: I agree.

Mr. THOMAS SHAW thought that both sides of the House were agreed upon that. The right hon. Gentleman had introduced another topic, and that was as to a certain remarkable increase of convictions for drunkenness within the last few years. The right hon. Gentleman would excuse him if he did not enter into details, as he had not been able to fortify himself with complete information on the matter since the right hon. Gentleman spoke. It was a very interesting subject, and his contribution to it was this: he thought a very great deal more of the increase of convictions for drunkenness than was generally supposed was to be attributed not only to the spirit in which the Licensing Act was now administered, but to the actual text of the Act. He had something to do with the framing and amending of the Scottish Licensing Bill, which was piloted through the House by the present Lord Dunedin, who was Lord Advocate in the late Administration. Prior to the passing of that measure, there was only one clause in the Act of 1862 dealing with the offence known as "drunk and incapable." There was now in substitution for that clause a very elaborate code of seven or eight subsections dealing with other offences than drunkenness and incapacity, which were at least substantially novel. One instance would illustrate how the case now stood. His recollection was that under the former law if a man was drunk, so long as he was not incapable also, or committed a breach of the peace, if his language even in the most crowded thoroughfares was obscene, there was no chance of getting a verdict against him. Observe the difference now; and how the two things worked in together. There was another statute under which there was early closing at ten o'clock in large towns, an hour at which the streets were fairly crowded. If obscene language was used it was now a categorical offence. The administration of these statutes undoubtedly were reflected in the statistics of the convictions for drunkenness. He did not say that that was an exhaustive explanation of the increasing convictions, but it operated along with the ripening of opinion and the less lax administration of the law. He wished to make one point which was not referred to during the debate. As the Committee knew they had not in Scotland the system of tied houses, at least only on a surreptitious and small scale, and therefore they had a better means of ascertaining the unbiassed opinion of the publican himself. He could assure the Committee, from all the inquiries he had been able to make and the information he had obtained on this subject in his official capacity, that if the publicans and drink sellers were asked if they wanted to open for even an hour on Sundays they would almost unanimously reply "no." He spoke not only for them but for the publicans' assistants, who were an intensely over-worked class. The Sunday to them was the only break in a life of somewhat squalid monotony. That privilege was afforded to them under the law. There being no opening on Sundays, except by clubs, all publicans were placed on a square level without in any sense the closing by law being undermined by some persons having a privilege. He did not think that any man with a sense of real responsibility would utter the sentiment that the publicans and their assistants were in favour of reverting to the system of Sunday opening. The right hon. Gentleman the Member for Bordesley had said that if they reduced the hours of opening on Sundays from six to three, they would introduce a system of "compulsory gulping." He did not think the Committee would take that view too seriously.

Mr. JESSE COLLINGS said that what he had stated was that at present a man, as he had the right to do, would sit down for an hour or two to enjoy himself on a Sunday evening and smoke his pipe and take his glass, while under this Bill he would have to go and drink in a hurry. He had said nothing about compulsory gulping. He would then take drink home, if not allowed to take a glass in a public-house. He contended that that was an infringement of the personal liberty of the great mass of the people of this country, who were not drunkards, but moderate drinkers.

Mr. THOMAS SHAW said that if "compulsory gulping" was too strong or too dramatic, he would take it that they would have to drink in a hurry in the public-houses if the hours were reduced from six to three. Fancy what the opinion of Scotland would be if they proposed the opposite thing—to impose three hours' opening upon Scotland. He did not know what would happen inside this House, but he could assure the Committee that no Scottish Member's constituency would tolerate the sanctioning of that for a month. Therefore, on the principle of the Bill, he was bound to confess that all his inquiries and all his experience pointed to the advantage of Sunday closing. He had been brought more closely in touch with this subject by working in a very poor down-trodden district in Edinburgh, where there were a great many dwelling-houses eight storeys high. He belonged to a congregation which had a mission in that district. They knew every person in it. They attended to the sick, and tried to help the people with their amusements so as to combat what they acknowledged to be their enemy, drink. They had their schools on Sunday with music and little entertainments through the week. In that way those who conducted the mission got to know who the people were and what they liked. He was convinced from that experience that if they had a vote of all that class of people they would say: "Spare us still the infliction of Sunday opening."

*Mr. WALTER GUINNESS (Bury St. Edmunds) said that the real question of this clause, viz., the restriction of the Sunday opening to three hours, disposed of a good many of the arguments that had been advanced that day. The Lord-Advocate had told them that one of the great advantages to be derived from this innovation would be that, as in Scotland, the publican would be able to take a holiday on Sunday. But would he be much better off for this provision? Apart from the necessity of being at home to supply refreshment to *bona fide* travellers, the publican would not be able to get away for even half a day if he had to open for one hour in the middle of the day, and two hours in the evening. The Committee would agree with him in saying that they had had a most interesting debate. For many days they had been listening to technical discussions on small points, which the average layman who had not had experience of the law Courts could not follow. But that day they had had a plain issue put before them. The Lord-Advocate had dealt with the question of freedom, and said that in Scotland they had had for fifty-five years compulsory closing of public-houses on Sundays; and that that did not in any way restrict their freedom. He forgot who it was who, in France more than a hundred years ago, described liberty as a state of things where everybody could do whatever he wished to do so long as he did not interfere with anybody else. From what the Lord-Advocate said nobody in Scotland wished to drink on Sunday. He should qualify that by saying that nobody wished to drink in public-houses on Sunday, and this was quite to be expected if they had become accustomed to the convenience of drinking their whisky in their own houses. But if any considerable minority of the population in Scotland did wish to drink in public-houses on Sunday, he did not think that the prejudices of the majority who after all would not be inconvenienced should in any way justify any infraction of the liberty of those who wished to go into a public-house. The speech of the hon. Member for Nuneaton division was very interesting, and they all listened to it with very great sympathy, because they felt that the hon. Member really knew what he was talking about. Unlike a great many temperance advocates he had been in a public-house, and knew what a public-house meant. The hon. Member informed the Committee that it was not only the labouring classes who drank, but that the middle and upper classes drank quite as much. Did not that knock the bottom out of the argument for the Bill? If the majority of the drunkards did not necessarily come from the labouring classes, that showed that this Bill, which only attempted to deal with a small section of a particular class, could not profess to settle the temperance question. The hon. Member told them that he would vote for the Bill, because it would not decrease the facilities for obtaining drink and would not prevent him or anyone else getting a glass of beer when he wanted it. Surely it was an argument against the Bill altogether, if it would not increase temperance and would not put obstacles in the way of a man who was likely to fall into intemperance. Really, the only argument which the hon. Member for Nuneaton had produced in favour of the Bill was that it would increase punctuality at Sunday dinners and decrease the nagging of wives. He thought a Bill of this importance was hardly justified by objects of that kind. The right hon. Gentleman the Member for the Spen Valley division went so far as to tell them, in a very moderate speech, to which he listened with great interest because it dealt with the whole principle of the Bill, that he thought everybody would agree that the restrictions that had hitherto been employed were beneficial, but he appeared to forget that there was such a thing as the principle of diminishing returns, and that if restrictions went beyond the public opinion of the day reaction was sure to follow. The right hon. Gentleman used the argument from Scotland where it was quite arguable that total closing on Sunday had not been beneficial. They had, however, figures to show that under the Act sobriety had increased. Of course, it had increased, but it had not increased only because of the Act. It had increased, as it had all over the country, owing to the growing force of opinion which condemned a man who indulged in alcoholic excess. He thought the right hon. Gentleman himself admitted that there had been a great increase in the force of public opinion, and he told them that if they walked about the streets of London they no longer met drunken men. That proved that this restrictive legislation at the present moment was not necessary, and it was because there was this progressive opinion in favour of sobriety that the right hon. Gentleman had the force he had in this House. It was because he represented the force of public opinion that the Government had given way to him in this attempt to make sobriety compulsory by Act of Parliament. They must remember, however, the dangers of reaction, and he thought it was to be feared that such restrictions as this went beyond the wishes of the country. Hon. Members opposite seemed to think that if they hid an evil they necessarily did away with it. He thought they were quite mistaken. He did not think the great evil of drunkenness was the intellectual damage done to the person who saw a drunken man in the streets; the great danger was the actual undermining of the health and the morals of the man who indulged in drink; therefore, he did not think they were going to do much good by bottling up drunkenness in private houses. And that was what they would do. They would obtain the same effect as this legislation had had in Scotland. They would prevent people from being seen drunk in the street, but encourage them to get drunk in their houses. The Lord-Advocate had told them that there were very few arrests in recent years in Glasgow compared with what there had been before prohibition on Sunday. But naturally there were fewer arrests, because the police had previously arrested people in the streets as they came home from public-houses. In Scotland where people got drunk in their own houses naturally the police did not come across the drunkenness, and they did not have the same opportunity of making arrests. Another argument they had heard was that it was in the interest of protecting the amenities of country districts, and the right hon. Gentleman the Member for Spen Valley called attention to the inconvenience caused by the exodus from country towns of drunken people who walked along the roads. But surely this Bill would increase that nuisance, because they were going to prevent people from getting drink when they needed it and to encourage them, if they had not had the foresight to lay in a bottle of whiskey on Saturday evening, to take a six miles walk out to get it. From that point of view, therefore, the last state of the country towns and villages would be worse than the first. He thought the most interesting speech in the debate was that of the Prime Minister. The right hon. Gentleman did not justify this clause on the ground that it was going to increase temperance, but really the burden of his speech was that the clause might safely be accepted, because it would not inconvenience anybody. Of course it would not, if they changed their habits and went in for drinking whiskey, and he practically admitted that that would be the case; for he said it must be remembered that the habits in England were not the same as in Scotland. He would like to know what temperance reformers would think of the right hon. Gentleman's speech, which he thought took away a good deal of the ground on which they had built up their case. There was no doubt whatever that the proposal would increase spirit-drinking, partly because the publican, generally speaking, made a far larger profit on spirits than on beer, and, therefore, the man who bought his spirits in large quantities or at a grocer's would be able to get a cheaper drink by buying spirits than beer; but in a public-house the exact opposite was the case. For that reason he thought they would increase the amount of whisky drank. The right hon. Gentleman said that the restrictions would not be obnoxious to the sense of freedom, but that applied chiefly to people who were keen on getting liquor. The people who would be affected were the moderate drinkers, who did not buy bottles of whiskey on Saturday, and that was the class of drinkers that they did not want to penalise, because he thought the majority of the House did not see any evil in indulgence in alcoholic liquor, so long as people did not indulge in it to excess. He thought that secret drinking was far worse than public drinking, and far more dangerous to family life. The great evil of these particular proposals was that they were going to concentrate drinking into a shorter period and by thus crowding the public-houses they would increase the temptations to excess. If he thought that this clause was in the least degree going to decrease the possibilities of drunkenness he would certainly support it, but while they left the present unrestricted powers of creating new clubs, whose only object was to sell alcoholic liquors, he thought the clause would drive drinking away from the cognisance of the police into secret places, where they had not the same facilities of supervision and where the seller of drink was not under the same penalties. A person who kept a club did not lose his livelihood if he allowed drunkenness, and while the present state of law existed as to clubs these restrictions would merely cause people to congregate and drink where there was practically no control.

*MR. G. GOOCH (Bath) said he should like to bring forward two critcisms, in no controversial spirit, of the attitude which had been taken up by the Opposition in the speeches that day. In the first place, it appeared to him that the objections brought forward would have been much more relevant and convincing if the Bill had been for total Sunday closing, rather than the reduction of hours from six to three. He thought that was an oversight which disposed completely of the opposition of the right hon. Gentleman the Member for Bordesley, and also took the sting out of the reflections of the Leader of the Opposition as to the possible or probable displacement of beer by spirits. Secondly, he should like to mention that on this occasion, as on so many others, the Opposition were far behind the position taken up by the Majority Report. Before this Bill began to be discussed, he had thought that the Opposition would be prepared to accept what the Majority Report showed, that those who signed it were prepared to accept. They had, however, found that that was not so, and they had been attacked on many occasions for putting in their Bill proposals which had the authority of that Report. One of the matters to which he referred was that about which they were talking that day, and in the speeches he had heard there had been no reference whatever on the Opposition benches to the well-known fact that the Majority Report suggested and advised that the Sunday hours should be reduced to four. He thought that was a great help to the Government in the position which they had taken up. He was not disappointed with the Government proposals, because he never expected complete Sunday closing, and could not say personally that he thought the time had come for it. He hoped that the very moderate instalment of reform which the Bill gave would before long lead up to complete Sunday closing, which had acted so excellently where it had been tried. As in several other directions, the Government did not go, and did not pretend to go, anything like as far as the most zealous and eager temperance workers had demanded, but the Bill was all that they were likely to get, and was a fair and very moderate response to the best and most instructed opinion of the country. There was one point in connection with this question of the contraction of Sunday hours that had not been referred to that day, and that had reference to the way in which it affected the employees in the pubic-houses. The discussion had turned almost entirely on the probable effect of this change upon temperance, and upon the people, but it also very closely affected the employees. The employees in London public-houses were allowed to work 123½ hours a week; in provincial towns, 108 hours; and in country districts, 102. Therefore, he said, apart from any question of temperance, but as a matter of humanity, the question of the reduction of hours and of this terrible overwork of men and women was an important consideration that they ought to bear in mind in the discussion. He felt that that had a special bearing, because they all knew very well that Sunday came after the heaviest day of the week, Saturday, and therefore some diminution of Sunday work was necessary. There was one aspect of the question with which he was exceedingly disappointed, and which he was quite at a loss to understand. They had heard from the Prime Minister and others of the great success of Sunday closing in Wales, and they had been led to think that the reduction of hours in England would be equally successful. If that were true, it was utterly inexplicable why the Government had left London out of the Bill. He believed he was right in saying that until the Lord Advocate spoke that afternoon, no member of the Government had ever attempted to explain, still less to justify, the omission of London from this particular clause, and he was very glad indeed to hear the right hon. Gentleman invite the opinion of Londoners on the subject. Two or three of them had put down an Amendment to bring London within the clause, and he hoped that either that day or on Report that would be done. From their point of view, the case of London was far more urgent than anywhere else, because there the public-houses opened earlier in the morning, and closed later at night on week-days than in any other place, and, in addition, on Sunday they were open for seven hours instead of six. Therefore, from the point of view of the workers, the omission of London from the Bill seemed inexplicable. The Government had not followed the Majority Report in many things, and he thought it was a great pity that they had followed it in this respect. The Majority Report was in favour of leaving out London and several big towns, and really the Government had been inconsistent in the way they had followed the Majority Report, because they had desired to bring in other big towns with a population of half or three-quarters of a million, while they did not bring in London. He hoped that London Members or those who, like himself, were Londoners though not London Members would urge the inclusion of London.

*MR. TALBOT (Oxford University) said he desired to take up a few moments because on this subject he was unable to associate himself with hon. friends who sat on that side of the House. This was almost the only clause in the

Bill to which he could give cordial approval, and he was bound to carry that into effect by his vote, and on this occasion the Government could have whatever advantage that would give them. This was a subject to which he had given attention for a great many years, and almost the first Bill he supported was introduced by Sir Joseph Pease and seconded by the father of his noble friend the Member for Maidstone for the partial closing of public-houses on Sunday. That Bill was opposed by the extreme section of temperance reformers, to whom he must pay the doubtful compliment that had it not been for their action in insisting on total Sunday closing a measure of partial Sunday closing would long ago have been carried. The result had been that to this very day, nearly forty years since that measure had been brought forward, the matter had remained unamended. He supported the proposal of the Government, therefore, on two grounds. First, as far as the diminution of facilities to obtain drink could promote temperance he was in favour of such diminution; and, secondly, because of the benefit to the employees of the licensed victualler, men, and especially women, whose general lot was hard and unenviable. Those who were trying to lighten the lot of the workers of this country should not forget those who worked in this trade. But it was said that the publican could not get away from his public-house because he would still have to serve on Sundays. That was true, but he would have three hours more to himself than at present and his servants would to that extent have that opportunity of Sunday rest and recreation which nobody should grudge them. He mixed his approval, however, with a good deal of censure. This was a bold Bill, and he could not understand why the Government had not been consistently bold, and why they omitted London from its scope. It might not be needful to apply the same amount of closing to London as prevailed all over the country, but to leave London houses untouched so far as Sunday closing was concerned was to him an inexplicable procedure. He suggested that London houses should close, say, at 9 o'clock on Sunday evenings, because to say that the people of London wanted refreshment in refreshment houses after that hour was to assert a state of things that was to him incredible. He was surprised and disappointed that the Government had not acted up to what he believed to be their conviction and dealt with London in this section. Then, as to clubs, the Government had apparently not considered the tremendous accumulation of evidence on this head. If public-houses were closed on Sundays for a certain number of hours, and no restriction was placed on the clubs on that day, it seemed to him that under the guise of promoting temperance they were really promoting something very like intemperance. Prebendary Carlile had declared that there was more vicious drinking in clubs than in public-houses on Sundays; and if the Government closed the public-houses while leaving the clubs untouched, they were really driving people to the clubs. Something had been said about public opinion. He quite agreed that in these matters, closely touching the social life of the community, it was right to consult the better class of public opinion if legislation was to be successful. If one listened to the whole of public opinion no reform would ever take place, because there was a residuum of bad public opinion. He certainly believed that the best opinion of the country was ripe for a diminution of the hours when public-houses were allowed to remain open, not only on Sunday, but on the other evenings of the week. He was sure that the public-houses in London need not be open until 12.30 every night. On that point he had strong conviction. So far as the Government with the enlightened opinion of the country he believed they were doing wisely, but it was because he believed that they were not going with the enlightened opinion of the country in the other matters that he did not support the other portions of this Bill.

*THE VICE-PRESIDENT OF THE DEPARTMENT OF AGRICULTURE FOR IRELAND (Mr. T. W. RUSSELL, Tyrone, S.) felt constrained to apologise for interfering in what might be called a purely English debate; but said he was convinced he had had experience of Ireland in this matter which might be of profit to the Committee. He thought that the Irish experiment was of greater importance than that of either Scotland or Wales. In the remarkable speech which the Leader of the Opposition had delivered that day, the right hon. Gentleman had said he had no doubt that a great deal of the driving power behind the movement in Scotland and Wales was religious. He did not challenge that at all. He thought the right hon. Gentleman was right as regarded Scotland. Certainly he himself was not going to say that Ireland was not religious. Very far from it, but he meant to say there was none of the feeling of Sabbatarianism which would put this measure into operation on that ground. Ireland was a country with no Sabbatarian feelings whatever, and one which devoted a great part of the Lord's Day to healthy amusements. Yet a measure of Sunday closing had been in operation in Ireland for thirty years, and there had not been a single vote from the country calling for its repeal. Indeed, everything that had been done had been in the way of tightening up and strengthening the measure. That was a very important fact in considering the English question. The Leader of the Opposition also expressed his fear that legislation of this kind might tend to increase spirit drinking, and he believed that it would be better that people should drink beer than spirits. He himself was not a judge. [Cries of "Why?"] He did not drink either, and he was not prepared to give any opinion on the matter, but he would point out that the Irish experiment did not bear out the fears of the right hon. Gentleman. He had not any figures to quote; the right hon. Member for the Spen Valley had quoted figures, but from his own observation in every part of Ireland he could say that the tendency was all towards the increase of beer drinking and the lessening of spirit drinking. Figures would prove that assertion. Ireland was, in fact, almost rapidly becoming more and more a beer-drinking country. He spoke from an acquaintance with the whole movement before and after the passing of the Sunday Closing Act of 1878. It was very bitterly opposed by a small body of Irish Members. There were eleven of them, and they put up a most magnificient fight for free drinking on Sundays, but they were badly beaten. It was to a Conservative Government that Ireland was indebted for that Act. If Sir Stafford Northcote had not given the necessary facilities for the closing stages of the Bill it never could have been passed. It was passed as a temporary measure for three years, and the five large towns, Belfast, Dublin, Cork, Limerick, and Waterford, were excluded from its operation. At the end of three years it was put into the Expiring Laws Continuance Bill, and continued there till 1906, when it was made a permanent measure, with the entire consent of Irish Members. He remembered very well the great deputation which the present Leader of the Opposition received in Dublin long ago when he was Chief Secretary for Ireland. To that deputation the right hon. Gentleman said the day for argument was past, and the time had come for action. If it had wholly depended on the right hon. Gentleman then the five large towns would have been included long ago. In 1906 the Act was made permanent, the hours were reduced for the five large cities, and an hour was taken off Saturday night. He had been in every one of those five large cities on Saturday night. The effect in Dublin of ten o'clock closing on Saturday night instead of eleven o'clock had been that almost every shop closed at half-past ten o'clock. In the old days poor women in thousands were wont to watch their men leave the public-houses at eleven o'clock, and then had to go and market afterwards. Now, however, the streets of Dublin were as quiet as Westminster Hall after ten o'clock. What he wanted to point out was this, that apart altogether from the reduction in the arrests for drunkenness, the gain to public order and decency had been enormous by that hour taken off Saturday nights. What was true of Dublin was true also of Belfast, Cork, Limerick, and Waterford, and he had made it his business to be in all those towns after that hour to see the result. If he took the restrictions on Sunday, the Committee would see they had been progressive. First of all it was eleven on Sunday night; that was reduced to nine, then to seven, and in 1906 it was reduced to five. Now what was the effect? When it was seven o'clock closing the crowds were just coming out of the public-houses as the people were going to places of worship, and nothing could be more intolerable than that. Now the public houses were closed in these large towns at five o'clock on Sunday evening, and they had only three hours sale during the whole of Sunday, and the streets were as orderly and peaceful as they could be. That was evidence as to restriction. The arrests for drunkenness from nine on Saturday night to eight on Monday morning in Dublin for 1906 were 1,274 and in 1907 1,140. If they took the other cities, with the exception of Limerick, there was a corresponding decrease. He did not, however, attach much weight to those figures, and they did not cover a long period, but from his own knowledge—and he was certain the police would bear him out—the gain to public order and decency by this earlier closing on Saturday and Sunday had been enormous. He did not want to shirk any difficulty. There were the clubs. A good deal had been said against the clubs, and he would like to tell hon. Members that he rather thought a great many of them had been pushing an open door. But so far as he was concerned, he would say that although clubs had sprung up in the large towns, they had not sprung up in great numbers. Then they had got the Clubs Act, and they were not unmanageable. Although they existed they did not exist in such a number as would enable anyone to say that they had done away with the good effect of the restrictions, and in the country districts they were not cropping up at all. In Ireland, in the country districts, clubs hardly existed. They were not an evil in the sense that he had heard they were in London. He thought they were manageable, and that they had not created that disturbance in Ireland that some people imagined. They had one difficulty, and that was in regard to *bona fide* travellers. Large numbers of men represented themselves as *bona fide* travellers, there was no doubt, and he thought the magistrates did not enforce the law in all cases. That was the only drawback, in his opinion, to the Sunday closing law. This had never been a question of creed or class in Ireland. They had had this Act for thirty years, with the entire assent of hon. Gentlemen sitting below the gangway, and many of them had fought courageously for it, and no effort had ever been made to repeal it, nor did he believe there was an Irish county which would tolerate its repeal.

Colonel LOCKWOOD (Essex, Epping) said the House must listen with attention to any remarks made on the temperance subject by his right hon. friend opposite. The right hon. Gentleman had been a lifelong temperance reformer, and he was therefore not the least astonished at the words which fell from his mouth, but he rose to offer the most uncompromising hostility and absolute opposition to the clause now under discussion, and if he had wanted to add any fresh arguments to those already existing in his own mind one of the principal ones would have been afforded by the hon. Member for Bath, who, speaking a little earlier in the afternoon, said that amongst the other advantages conferred upon temperance by this section was that he looked upon it as an instalment of temperance reform. So that, in addition to the great curtailment, as he thought, of the liberty of the subject already existing in the section, they had those who avowedly looked upon it as an instalment of reform and a step only in the direction of entire Sunday closing. The Lord Advocate had informed them of the extraordinary success of Sunday closing in Scotland and said it was looked upon as a boon by all classes, and that there could be found but few against it. He would like to know whether the one representative of Scotland whom he saw on the front bench opposite agreed that Sunday closing had been such an advantage. He would like to know, for instance, what the statistics for drunkenness in Blairgowrie were as compared with Hertfordshire or even Northumberland. He thought that if the right hon. Gentleman went into that subject and questioned those who sat near him, he would find that drunkenness in Blairgowrie showed considerably higher figures than in any part of England. They had heard many Members speak as regards the success of Sunday closing in Wales. He was proud to say he was half a Welshman himself—the best half, whatever that might be—and he had heard with astonishment his delightful friend the hon. Member for the Arfon division the other day, when they were talking of the advantages of Sunday closing in Cardiff, say that it was true there was drunkenness, and a good deal of it, on Sunday evening, but that if they went into the question they would find that it was because the people that one met there were not Welshmen, but Chinamen or Hindus.

Mr. WILLIAM JONES (Carnarvonshire, Arfon): I meant that on Sunday the drunken men that one met in Cardiff were men who had obtained drink in Monmouthshire, because there is Sunday closing in Cardiff.

COLONEL LOCKWOOD said the hon. Gentleman insinuated that they were not Welshmen, but all he could say was that they were Chinamen with a strong Welsh accent. He had also been in Cardiff on Sunday afternoon and evening, and he had seen no advantage conferred in that most interesting and thriving town by the Sunday Closing Act. He represented a division that was partly in the Metropolitan district and partly in the rural district, so that perhaps the opinion of his constituents might be a little divided. Those in the Metropolitan district, it appeared, were not to have their advantages curtailed, but those in the rural district, among whom he numbered himself, were to be obliged to cycle, motor, walk, or train into the Metropolitan district to obtain any refreshment on a Sunday. He looked upon Sunday closing in rural districts as a very great hardship. Hon. Gentlemen opposite were indeed mistaken when they looked upon the ordinary rural public-house as a centre of drunkenness or debauchery, or of any other vice, the truth being that the ordinary village public-house was a place of the most innocent amusement and entertainment. He was not going to say that drunkenness did not exist there. Of course, there was a certain amount of it, he regretted to say, all over the land, but the ordinary public-house in a rural village, especially on a Sunday, was not a centre of drunkenness. He understood that the right hon. Gentleman the Member for the Spen Valley declared that drinking on Sunday at any time interfered with the amenities of country life. His division was pretty close to London, and they were certainly favoured every day of the week, including Sundays, with a large number of excursionists who came down to enjoy the beauties of the country, to pull down his hedges, and to indulge in other innocent amusements of that sort. He was bound to say he had never seen any great drunkenness on the Sunday. What would be the effect of a further curtailment of the hours? The effect would be that the lanes and places round the public-houses would be crowded with brakes and with people waiting for the hour of opening. He believed that, instead of being an advantage to the country districts, a further curtailment of the hours would be of the greatest possible disadvantage. His own opinion was that if they had attempted to legislate in this way many years ago, when drunkenness was really rife, there might have been some reason for it, but at the present time there was very little drunkenness, and it was gradually decreasing. Years ago, in the time of their grandfathers, what were the upper classes? They were heavy drinkers then. What was the case now? They seldom, if ever, met with drunken people in the upper classes. He was not claiming the immunity of the upper classes, or comparing one class with another, but he maintained that drunkenness amongst the upper classes was uncommon. Had that sobriety been produced by Licensing Bills or penal laws? Certainly not. It had been produced by education, and education alone, and he meant to say that in the same way the lower classes and the middle classes did not drink now in the way they did years ago, and that education alone was responsible for the improvement. He believed that by this section and by this Bill altogether they were unwarrantably interfering with the liberty of the subject, and as such, and believing it was unfair and unjust, he should give it his most uncompromising opposition.

MR. THOMAS RICHARDS (Monmouthshire, W.) said he wanted to add his meed of appreciation of the very excellent and high-toned speech of the right hon. Gentleman the Leader of the Opposition, which had been favourably commented upon by everyone, with the exception perhaps of the noble Lord the Member for Horsham, who would hardly be expected to appreciate a speech of that calibre. He dared say, too, there might be other Members of the right hon. Gentleman's party who might think that he dealt too favourably with this question. He thought the right hon. Gentleman was in the position of an old Welsh Puritan of whom he once read, who violently opposed the introduction of music into the Church service. They wanted to buy a harmonium, and the old man violently opposed it. When it had been carried against him, however, he headed the subscription list with a handsome subscription. Of course, he was at once charged, by those who had followed him in his opposition, with inconsistency. The old man very naively replied: "If you are going to worship God by machinery, then I want you to get the very best machine possible." He looked upon the action of the right hon. Gentleman in this discussion in that manner. He had been opposing these restrictions, but his speech that afternoon had said: "If you are going to apply restrictions, I want you to apply them in the best possible manner." He must admit to having shared, perhaps in a humbler degree, the feelings of the right hon. Gentleman to some extent when seeing the French and German workmen and their wives and families with their luncheon baskets and bottles of wine on a summer afternoon on Sunday in the woods. He had strong temperance convictions and sabbatarian convictions, which had been very rudely shaken upon some occasions of that kind, but he had found an antidote, and would tell the right hon. Gentleman where he found it. If he would go back into Paris or any of the great German towns, and go into the quarters of the working classes, he would find them in large numbers drinking absinthe and other fiery concoctions, and he thought the right hon. Gentleman would say that if some restriction was put on that, they would have a larger number of working men enjoying themselves with their families in the woods. He did not think this was without an economic bearing. The indulgence in amusements and drinking was also largely developing into free indulgence in work by the labouring classes in the large centres. It was no uncommon thing to see the mason in his yard, and the carpenter in his shop, in Paris, on a Sunday. It was very recently that he was awakened on a Sunday morning earlier than he liked, by some masons who were erecting a hotel opposite to where he was sleeping. They also looked upon this restriction in regard to Sunday opening as to some extent protecting people they represented from being called upon to do a greater amount of work on that day. The right hon. Gentleman the Leader of the Opposition had expressed his desire to hear the experience of those who were familiar with the districts where Sunday closing had for some time been in operation under the Act. He had a unique experience of Sunday closing which perhaps hon. Members could not get if they tried. That experience was in connection with the Brecon village in which he happened to live before Welsh Sunday closing was in operation. In that little village, whose population consisted of some four or five thousand miners, when the Sunday Closing Act was passed and the public-houses were closed, to see a drunken man in the village street was a very rare thing indeed. But under the Local Government Act which was passed seven years afterwards, the village was transferred to Monmouth for local administrative purposes, and then a change was made with regard to the public-houses. First of all, therefore, before the Sunday Closing Act, they had the houses open; then they had them closed for seven years on the Sunday, and since 1888 they had been re-opened. With this alternation of experience he did not think that the villagers would hesitate to say that they were far happier and spent a far pleasanter Sunday under the Act which closed the public-houses on that day than when the houses were open. He put this little piece of experience before the Leader of the Opposition as well worthy of his consideration. In the course of the debate much had been made of the convictions for drunkenness on Sunday. Here again he would refer to his experience in the little village in which he lived. He believed that the attitude of the police there was typical of the action of the police elsewhere. There was only one policeman in the village, and he liked a little drop himself, but during the Sunday closing period, if he saw a man drunk in the street, he reasoned that where there was drunkenness there must be drink, and he at once arrested the man as the readiest way to finding out where he had been able to get liquor illicitly. In this way every drunken man who was the worse for drink was arrested and convicted, and in that respect that little village in no degree differed from other places. Where they had Sunday opening, however, men might get drunk with impunity, and unless they committed some breach of the law in addition to getting drunk, there were no arrests or convictions to form part of the statistics. Only during the past fortnight, while the stages of this Bill were being discussed, in leaving the House with an hon. Member one night, he saw a drunken man pass the gates and stagger across the road, hardly able to walk and in great danger, yet the police took no notice. He asked hon. Members who quoted statistics on this subject to bear in mind that instance as showing that returns of convictions for drunkenness were in no degree a basis for forming a judgment as to the amount of drinking which went on. Much had been said about Sunday closing and the border difficulty. Wherever they had a Sunday closing area and an open area together, there would be a border difficulty. He appealed to the right hon. Gentleman the Leader of the Opposition when they came to the later portion of the clause to support them in removing that great border difficulty which confronted them under the Welsh Sunday Closing Act. Where there was a narrow dividing line between the closing area and the opening area, perhaps a narrow valley running between thickly populated mining villages, or a small rivulet forming the boundary, they could not hope to get the best results from the Act. But if Monmouth were included in the Welsh Sunday Closing Act they would have the boundaries passing through thinly populated districts, divided by a wide channel on one side and a wide valley with few bridges on the other. A restriction would thus be put on habitual drunkards. It was they who found their way from one district to another to get drink, and not respectable working men; it was the men who had acquired a craving for drink, who ruined themselves, their wives and their families, and who, if the law put no restriction on them, would ruin this great Empire. He would point out to the right hon. Gentleman that he had the same object lesson in Wales and Monmouth that he had given them as applied to Ireland. Since the introduction of this Licensing Bill he had been through three or four divisions and large mining centres on the borders of Wales, where he had addressed meetings of various descriptions. In not a single meeting had he had anything but the most enthusiastic support of the Government proposals for further restriction of the hours of opening and for the extension of the Welsh Sunday Closing Act to Monmouth. The Monmouth County Council, district councils, boards of guardians, every public and religious body, together with large and enthusiastic meetings of miners, all supported these proposals. Really, if there was anything in the right hon. Gentleman's speech, admirable as it was, he should expect to see him go into the lobby with them and vote for the inclusion of Monmouth in the Welsh Sunday Closing Act. They believed that Monmouth and Wales were one in that national sentiment of which such an eloquent exposition was given the other day by his hon. friend the Member for the Arfon division of Carnarvonshire. National sentiment was discounted in some quarters of the House, but he would say—

> "Breathes there a man with soul so dead,
> Who never to himself hath said,
> This is my own my native land!"

Certainly the noble Lord sitting on the other side of the House would not be inclined to find fault with such national sentiment. He appealed to the House to put further restriction on Sunday opening and to include Monmouth in the Welsh Sunday Closing Act.

Mr. FORSTER (Kent, Sevenoaks) said the discussion had been kept at a high level since the speech of his right hon. friend the Leader of the Opposition, indeed, since the beginning of the afternoon; and he hoped that the Committee would allow him to add a few words, because he found himself in a peculiar difficulty. From the very early days of his Parliamentary career he had taken a view which was very hostile to any proposal to close public-houses altogether on Sundays, though he had always considered it possible, indeed desirable, that there should be some further restriction upon the hours during which public-houses could remain open. The difficulty in which he found himself in dealing with this clause was that he thought further restriction upon the hours of opening would be useless unless they dealt with clubs at the same time. It was idle to argue that they could make any member of the community sober by preventing him from going into a public-house except between the hours of two and three in the afternoon or between the hours of six and eight in the evening, if they left him absolute freedom to go into some drinking den, as some of these clubs were, without observation on the part of the police, and where he could be free from restriction of any sort or kind. Therefore, from the point of view of temperance, he thought that the move which they were making, unless they included clubs, was worth nothing at all. The other difficulty which presented itself to him was that which had been touched upon by the hon. Gentleman who had just sat down—the difficulty of the frontier. He had listened to every speech which had been made in the course of the debate, and awaited an explanation of the proposal that this subsection was not to apply to premises in the Metropolitan district. Without desiring to import in any way controversy into the discussion, from which it had been free up till now, he confessed that he was astonished at the explanation which had proceeded from the lips of the Lord Advocate. When asked why it was that the Government had excluded the Metropolitan district from this provision, the Lord-Advocate said the Government considered that it was unadvisable to march in advance of public opinion. He was astonished to learn that public opinion in London was so vastly different from public opinion in Liverpool or any other large town; and he really asked himself how it was that the Lord-Advocate arrived at the conclusion that public opinion would not support further restriction in the Metropolitan district. After all, how did they ascertain what the public opinion was? The Government when it suited their purpose told them that public opinion found full and adequate expression in the voices of Members occupying the Ministerial benches. If they applied that test he would have thought they would have found that public opinion was very strongly in favour of the inclusion of London within the operation of this subsection. He could not think that the Government had to disregard the voices of their supporters and to regard only the results of the bye-elections in London, because, if that were their method of ascertaining the trend of public opinion, they would have withdrawn their Bill altogether, and Members would not have found themselves as far as they were in the discussion that day. He was glad, he confessed, to hear the Lord-Advocate state that the Government were not going to put pressure on their supporters to exclude London from the Bill, and that the House would have a further opportunity of expressing its views upon this question. For himself, he was bound to say he did not see at all when that opportunity was going to be. He would remind the Committee that there would be no opportunity, so far as he could see, at any rate on this stage of the Bill, of taking a division on the point. It was a great pity, but it was entirely the fault of the Government that it was so. The division would take place shortly, and he had to ask himself what he was to do, being, as he was, favourable to restriction of the hours during which public-houses were open, and yet being face to face with the situation as he found it in the Bill. He could only say, and he said it with great reluctance, that he intended to vote against this subsection, unless they had a clear and explicit declaration from the Government that they intended to apply the provision to the Metropolitan district, and to deal with clubs in the manner which had been suggested in various quarters of the House. If the Government gave them an undertaking of that kind, then he for one should not oppose the subsection. If, on the other hand, they did not give them any undertaking of that kind, then he would feel bound to vote against it. When he looked at the situation in his own constituency he was convinced that great inconvenience would be caused and great injustice done by the proposals of the Government as they stood. His constituency ran up to the Metropolitan area. Supposing that the subsection was passed in its present form what would happen would be that from all around they would inevitably have the evil of an influx from the country districts into the Metropolitan area. That was a most undesirable thing; it was certainly unnecessary, and unless he got an explicit assurance on the point he should vote against the subsection.

*MR. BRACE (Glamorganshire, S.) said the debate was one of the most interesting to which it had been his privilege to listen since he had been a Member of the House. He did not anticipate, despite the fact that the hon. Gentleman who had just sat down said he would vote against the subsection, that right hon. and hon. Gentlemen above the gangway would carry this question to a division, after the speech of the right hon. Gentleman their Leader. He had simply risen to say, as a member of the working classes, as a resident at Newport in Monmouth, and as Member for Glamorganshire, that he had no hesitation in associating himself with the proposal for limiting the hours during which public-houses were kept open on Sunday. He had been surprised that the basis of the attack levelled against the Government proposals was that it would encourage the opening of clubs. If hon. Gentlemen believed that, it was their duty to table Amendments of a more drastic character dealing with clubs rather than make it an excuse for not supporting a reasonable proposal such as this. The right hon. Gentleman had expressed a fear that the limiting of the hours to three on Sundays might encourage the consumption of spirits instead of beer; but it was cheaper for them to get in beer on a Saturday night than spirits, and the danger was one that need not be seriously apprehended. Might he bring forward the claims of the family? He had listened carefully to hear the family note struck in the discussion. All the fear had been as to what the drinker was to do. What about his family? Let the Committee take a concrete case. On a Sunday the man who was given to going to the public-house to drink went out at about half-past eleven or twelve, and went into the public-house at half-past twelve and stayed, not to get the dinner beer, but until half-past two, and went home drunk or partially drunk. He was a nuisance to himself and to his family. Instead of having his dinner with his wife and children on the only day in the week that he could spend with them, he was encouraged to go to the public-house and stay till half-past two. It was to put an end to that, and in order that the families should have greater consideration than they had had, that he strongly supported the proposal. It was said they wanted to make sobriety compulsory by Act of Parliament. Surely hon. Members were not so foolish as to think they were going to do that. They had never thought that by the passing of this measure they were going to make people sober. What they claimed for the Bill was that it would reduce the opportunities or temptations by which men were tempted to drink to the point of abuse. As a Welsh Member, as a resident in Monmouthshire who had seen close at hand the working of the Sunday Closing Act, he had no hesitation in declaring that as this to some degree carried them forward to complete closing he supported the proposal, and he should expect to see the right hon. Gentleman the Leader of the Opposition in the same lobby with them and carrying a number of his friends with him in support of the whole proposal, believing as he did that the House might well give attention to the claims of the family rather than to the man who spent his Sunday in seeking opportunities to drink.

Mr. W. R. REA (Scarborough) said the Leader of the Opposition had asked for further information as to whether Sunday closing would not put a stop to the recent development of spending Sundays and week-ends away from home, where people might be, at any rate, better employed than in soaking in public-houses in the towns. As the representative of a watering-place which relied for a considerable part of its income on this week-end trade he assured the hon. Gentleman that, having taken the trouble to find out what the effect of the clause would be on his own constituents, he was quite satisfied that it would do them no injury, and that they welcomed the reduction in the hours of opening. They believed that three hours was quite sufficient for the reasonable refreshment of the visitors, and they were most anxious that it should be understood that people went to Scarborough, Brighton, and Eastbourne as health resorts and not as drinking resorts. They therefore welcomed the clause, but subject to this, that the allotment of the hours during which the public-houses were open might be left to the discretion of the local justices. The requirements of a watering-place were quite different from those of London and the large manufacturing towns. From three to six on Sunday were just the hours when refreshment was needed at watering-places in the summer, and it was unreasonable that the House should lay down the hours at which these public-houses should be open. It was infinitely preferable that they should leave it to the local magistrates who knew the circumstances and allow them to open the houses when they were required in the daytime, and close them in the far more mischievous hours after dark. With that proviso he was certain that no injury would result from the passing of the clause, and that it would improve the character of the towns.

MR. PATRICK WHITE (Meath, N.) said his experience of Ireland was somewhat different from that of the right hon. Gentleman the Member for South Tyrone. He had told them that since the Act of 1906 was passed, Ireland had been a peaceable and happy place, and led them to suppose that it must indeed have been a terrible place before. The importance that the right hon. Member for South Tyrone attached to the working of the Act of 1906 in Ireland was largely exaggerated. The right hon. Gentleman's opinion as to temperance legislation in Ireland was about as impartial as that of the right hon. Member for Spen Valley in regard to England. He had told the House that the Act of 1878 was imposed upon Ireland. That was not so. It was conceded by the House in deference to the unanimous desire of the hierarchy and clergy of Ireland. It was the unanimous demand of the people of Ireland. Was there any such unanimous demand from the people of this country for the legislation they now sought to impose upon them? In his opinion there was not. This was the most restrictive and repressive legislation on the less fortunate people who could not go to clubs, or be socially entertained at home. The right hon. Gentleman told them that arrests for drunkenness in Dublin had decreased, but what was the effect of licensing legislation on the suburban areas? If they took Dublin and a circle of ten miles it had not decreased drinking in any way. The right hon. Gentleman the Member for Spen Valley had told them that in the three years following the passing of the Sunday Closing Act in Ireland the amount of spirits consumed decreased by 3,000,000 gallons. But was there no other cause? Was he aware that in that time the population was decreasing by 10 per cent., that in a decade half a million people had vanished, that it was a period of acute distress, and that in the main the reduction of alcoholic drink was due to the moral suasion of the clergy? It was that moral suasion that he would ask them to apply to the people of this country. They could never make the people temperate by Act of Parliament. On the one hand, hon. Gentlemen opposite sought to extend political liberty and power, and on the other hand they asked for repression. The two could not go hand in hand. If they wanted to advance political freedom they must try to elevate the moral character of the people; if they did not do that all their repressive legislation was in vain. This was a tyrannical measure proposed by a so-called democratic Government.

*MR. HERBERT SAMUEL said he wished, in the first place, to express the acknowledgments of the Government for the manner in which the Committee had dealt with the clause. The debate had been free from those elements of controversy which had characterised many of their discussions, and it had disclosed the fact that there was in that House an overwhelming body of opinion in favour of the principle which the clause contained. The right hon. Member for the Epping division did, indeed, say that action of this character was unnecessary, because in these days drunkenness had almost disappeared. Last year there were in England and Wales no fewer than 197,000 convictions for drunkenness, a vast total, and, in addition to that, there were, of course, an immense number of cases that were not discovered or charged. The clause had behind it the advantage of the lessons that could be drawn from the experience of those parts of the United Kingdom which already had complete Sunday closing. They had had some most powerful and eloquent speeches from representatives of Scotland, Wales, and Ireland, who had given the information as to the experience of those countries for which the Leader of the Opposition asked at the beginning of the discussion. The last speaker differed from others who had spoken, but he was well-known in that House as an uncompromising opponent of all measures of legislative restriction upon the liquor trade, and whenever a Bill of this character was discussed the hon. Gentleman advocated the interest of that particular industry.

MR. PATRICK WHITE: I beg the hon. Gentleman's pardon. I am not an opponent of all temperance measures, but only of the inference drawn by the right hon. Gentleman the Member for South Tyrone.

*MR. HERBERT SAMUEL said he was not referring to the hon. Member's words, but to his actions, and he would be much interested to learn from him if he had allowed to escape any occasion, since he had been a Member of the House, of opposing any measure which had been regarded by the friends of temperance as designed to promote temperance. With that exception they had had universal testimony from all those portions of the United Kingdom that Sunday closing had been a great success, and that practically no voice would be raised in Scotland, Ireland, or Wales for the repeal or limitation of the measure of legislative protection which they now enjoyed. Commission after Commission, Committee after Committee, appointed by the Sovereign or that House, had inquired into the working of the Sunday closing laws in these parts of the United Kingdom and without a single exception they had reported that those laws had been of great advantage to the populations to which they applied. They did not propose in the Bill to go as far as the experience of the other parts of the kingdom might justify them in doing. They realised that public opinion was not yet ripe for a complete measure of Sunday closing in this country, and therefore the very modest proposal was made in this clause, which might be supplemented by the action of the justices in proper cases, that the hours of opening, which were now six on Sunday outside the Metropolitan area, should be reduced to three. The matter was submitted to the Royal Commission on the Licensing Laws some years ago, and both sections of that Commission declared that a further restriction of the hours of Sunday opening was desirable and necessary. The Majority Report, signed by eight representatives of the liquor trade, though four dissented from this particular recommendation, urged that the hours should be reduced from six to four, though they suggested that London and the principal cities should be exempted for a time. They also urged that Monmouthshire should be included in the Welsh Sunday Closing Act. The Minority Report proposed that the hours of Sunday opening should be reduced to three, with power to the local magistrates to close them altogether in districts where public opinion called for that course. They also advocated the inclusion of Monmouth in the Welsh Sunday Closing Act. He could turn also to the Conservative Ministry's Local Government Bill of 1888, which contained a clause conferring on county councils the power to make regulations to close licensed premises on Sundays, Christmas Day, and Good Friday. That showed that the Conservative Government of that day clearly realised that there was a case for Sunday closing. That clause was withdrawn because the Government did not desire to overload the Bill, and were averse to having the first elections for the newly-created county councils fought on so controversial a matter as Sunday closing. The proposal for Sunday closing combined in its support many varying elements. There was not only the desire to reduce the facilities for the consumption of drink. There was the religious sentiment of the country, and also the desire to secure a larger measure of leisure for those employed in this industry. Mr. Charles Booth, in his investigations of the hours of labour on licensed premises in London, showed that this trade was the most overworked of all trades in this country. The hours of barmen and barmaids were over eighty generally, and not seldom rose to as many as ninety per week. In conclusion he came to three special points. There was first the small one raised by the hon. Member for Scarborough, who pleaded for a greater measure of elasticity in the selection of the three hours in which public-houses might be open on Sundays. They admitted that there was force in his contention, and would propose on the Report stage an Amendment to meet his wishes, and the wishes of other Members allowing the three hours to be selected between mid-day and the closing hours at night, provided that one was in the middle of the day, to give opportunities for obtainng the "dinner beer." The hon. Member for Sevenoaks raised two points. He said first—"If you wish for my support, you must tell us what you are going to do with regard to clubs, on Sundays. Here are these institutions, many of them merely drinking dens, and you propose to impose no disabilities on them with regard to the sale of liquor." If the hon. Member had sufficiently studied the clauses in the Bill dealing with clubs, he would have found that clubs which were merely drinking dens would be suppressed altogether. They could not exist under the Bill at all. With regard to the restriction of hours in well conducted clubs, he asked leave to postpone any remarks on that question until they came to discuss the clauses dealing with clubs. It was far too large and complicated a question to be dealt with as a side-issue on a clause which did not deal with clubs at all. Then the hon. Member asked: "Why do you exempt London?" The reason why a provision was not inserted with regard to London was that London had always been exceptionally dealt with in regard to hours in licensing legislation hitherto. The inclusion of London was not recommended by the majority Report of the Licensing Commission, and they were anxious to obtain expressions of opinion from various quarters of the House before extending the provisions of the clause to London. After the speeches from both sides of the House that had been made during that discussion, and from other expressions of opinion that had reached the Government, he thought the House would favour the inclusion of London. Consequently on the Report stage an Amendment would be moved to that effect. They would consider whether the clause should be applied to London *simpliciter*, as it stood, or whether any modification of a minor sort was necessary. He hoped that that announcement would remove any hesitation there might be in the minds of hon. Members in giving full approval to the clause.

Mr. AUSTEN CHAMBERLAIN said he was going to vote in favour of the retention of the clause. He recognised that it did not, as many other clauses did, strike at the interests of the trade, or the people interested in it. On the contrary, he believed that all the legitimate trade would be done within the hours in which the house would be open. It would be an enormous boon to the people conducting this trade—always a strenuous task, often a difficult one, requiring constant attention, tact, and care—and a great relief to them to have their hours further shortened on at least Sundays. He had always expressed his opinion in favour of a greater restriction of hours on Sundays, provided that reasonable opportunities were given to people to get what liquor they required. A great number on the opposite side of the House had argued the question as if it were one of total closing on Sundays. If that had been the case he would have been found voting against it. He was in favour of restriction, but he was not in favour of prohibition. Even restriction might lead to some irregular or secret drinking, but prohibition would lead to a great deal more.

Dr. RUTHERFORD (Middlesex, Brentford) expressed his deep gratitude to the Government for the announcement that it was intended to apply this clause to London.

Mr. HUNT (Shropshire, Ludlow) asked if under this clause public-house people would be able to supply intoxicating drinks to travellers who cycled or walked into the country during the hours when they were closed? It would be a serious thing if cyclists and other travellers were unable to get any sort or kind of refreshment on Sunday which was often the only day upon which they could take their recreation.

Mr. JOHN WARD (Stoke-on-Trent) asked whether it would not be wise to strike out the words "by retail." Whilst they could not get beer on Sunday in Wales at public-houses they had no difficulty in purchasing a 4½ gallon barrel from wine and spirit merchants. This had been done in the case of a whole gang of navvies, and it could be repeated until the whole gang got hopelessly drunk.

Sir S. EVANS said it would still be possible to supply intoxicating liquor to *bona fide* travellers. The question to which the other hon. Member had referred had not escaped the attention of the Government, but at this point the Committee were merely dealing with an alteration of hours.

*Mr. REES (Montgomery Boroughs) drew attention to an Amendment standing in his name introducing a differentiation of hours for rural areas and hoped that it might be adopted by the Government.

*Mr. CHAIRMAN: That is not in order at present.

Question put.

The Committee divided :—Ayes, 250; Noes, 39. (Division List No. 311.)

AYES.

Abraham, William (Cork, N.E.)
Abraham, William (Rhondda)
Acland, Francis Dyke
Agar-Robartes, Hon. T. C. R.
Agnew, George William
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Ashton, Thomas Gair
Astbury, John Meir
Atherley-Jones, L.
Baker, Joseph A. (Finsbury, E.)
Baring, Godfrey (Isle of Wight)
Barlow, Percy (Bedford)
Barnes, G. N.
Beale, W. P.
Beaumont, Hon. Hubert
Benn, Sir J. Williams (Devonp'rt
Berridge, T. H. D.
Bethell, Sir J. H. (Essex, Romf'rd
Bignold, Sir Arthur
Birrell, Rt. Hon. Augustine
Black, Arthur W.
Bowerman, C. W.
Brace, William
Branch, James
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Bryce, J. Annan
Buchanan, Thomas Ryburn
Burns, Rt. Hon. John
Byles, William Pollard
Cameron, Robert
Carlile, E. Hildred
Carr-Gomm, H. W.
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P, Joicey-
Chamberlain, Rt Hn. J. A. (Worc.
Channing, Sir Francis Allston
Cheetham, John Frederick
Clough, William
Clynes, J. R.
Collins, Stephen (Lambeth)
Collins. Sir Wm. J. (S. Pancras, W
Corbett, C H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.

Mr. John Ward.

Cory, Sir Clifford John
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crooks, William
Curran, Peter Francis
Dalziel, James Henry
Davies, M. Vaughan-(Cardigan
Davies, Timothy (Fulham)
Davies, Sir W. Howell (Bristol, S.
Dewar, Arthur (Edinburgh, S.)
Donelan, Captain A.
Duncan, C. (Barrow-in-Furness
Dunne, Major E. Martin (Walsall
Edwards, Sir Francis (Radnor)
Essex, R. W.
Esslemont, George Birnie
Evans, Sir Samuel T.
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Fiennes, Hon, Eustace
Findlay, Alexander
Foster, Rt. Hon. Sir Walter
Fuller, John Michael F.
Furness, Sir Christopher
Gibb, James (Harrow)
Gill, A. H.
Gladstone Rt. Hn. Herbert John
Gooch, George Peabody (Bath)
Grant, Corrie
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Griffith, Ellis J.
Guest, Hon. Ivor Churchill
Gulland, John W.
Gurdon, Rt Hn. Sir W. Brampton
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardie, J. Keir (Merthyr Tydvil)
Harmsworth, Cecil B. (Worc'r)
Harmsworth, R. L. (Caithn'ss-sh
Harrison-Broadley, H. B.
Hart-Davies, T.
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hazel, Dr. A. A.
Hedges, A. Paget

Henderson, Arthur (Durham)
Herbert, Col. Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobhouse, Charles E. H.
Hodge, John
Holland, Sir William Henry
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, Sir James Alfred
Jardine, Sir J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Sir D. Brynmor (Swansea
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Kekewich, Sir George
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lambton, Hon. Frederick Wm
Lamont, Norman
Lever, A. Levy (Essex, Harwich
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lundon, W.
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
MacCaw, William J. MacGeagh
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk Bg'hs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
M'Arthur, Charles
M'Callum, John M.
M'Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren, Sir C. B. (Leicester)
M'Laren, H. D. (Stafford, W.)
Mallet, Charles E.

Marks,G.Croydon (Launceston)
Marnham, F. J.
Massie, J.
Menzies, Walter
Micklem, Nathaniel
Mildmay, Francis Bingham
Molteno, Percy Alport
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morgan,J. Lloyd (Carmarthen)
Morpeth, Viscount
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murray, James (Aberdeen, A.)
Myer, Horatio
Napier, T. B.
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien,Kendal(Tipperary Mid
O'Donnell, C. J. (Walworth)
Parker, James (Halifax)
Pearce, Robert (Staffs, Leek)
Pearson,W.H.M. (Suffolk, Eye)
Pease,Herbert Pike(Darlington
Philipps,Col.Ivor (S'thampton)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Price,C. E. (Edinb'gh, Central)
Priestley,W.E.B.(Bradford, E.)
Radford, G. H.
Rainy, A. Rolland
Rasch, Sir Frederic Carne
Rea, Walter Russell (Scarboro'
Richards,Thomas(W. Monm'th
Richards,T.F. (Wolverh'mpt'n
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Robertson,Sir G.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rose, Charles Day
Russell, Rt. Hon. T. W.
Rutherford, V. H, (Brentford)
Samuel,Herbert L.(Cleveland)
Scarisbrick, T. T. L.
Schwann,Sir C.E.(Manchester)
Scott,A.H.(Ashton under Lyne
Seaverns, J. H.
Seely, Colonel
Shackleton, David James
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Sutherland, J. E.
Talbot,Rt.Hn.J.G.(Oxf'dUniv.
Tennant, H. J. (Berwickshire)
Thomas, Abel(Carmarthen, E.)
Thomasson, Franklin
Thompson,J.W.H.(Somerset,E
Thorne, G.R.(Wolverhampton)
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Villiers, Ernest Amherst
Vivian, Henry
Walker, H. De R. (Leicester)
Ward, John (Stoke upon Trent
Warde, Col. C. E. (Kent, Mid)
Wardle, George J.
Waring, Walter
Wason,Rt.Hn.E.(Clackmannan
Wason,John Cathcart(Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
Whitehead, Rowland
Whitley, John Henry Halifax)
Whittaker,Rt.Hn.Sir ThomasP
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson,J.W. (Worcestersh. N.)
Wilson, P. W. (St.Pancras, S.)
Wilson, W. T. (Westhoughton)
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood,Rt Hn.Sir Alex.F
Balcarres, Lord
Banbury, Sir Frederick George
Beach,Hn.Michael Hugh Hicks
Collings,Rt.Hn.J.(Birmingh'm
Dixon-Hartland,Sir FredDixon
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Faber, George Denison (York)
Faber, Capt. W. V. (Hants, W.)
Fardell, Sir T. George
Fell, Arthur
Forster, Henry William
Goulding, Edward Alfred
Gretton, John
Guinness,W.E. (Bury, S. Edm.)
Hay, Hon. Claude George
Hills, J. W.
Hunt, Rowland
Kerry, Earl of
Kimber, Sir Henry
Lockwood,Rt.Hn.Lt.-Col. A.R.
Lowe, Sir Francis William
Marks, H. H. (Kent)
Nicholson, Wm.G. (Petersfield)
Nield, Herbert
Nolan, Joseph
Oddy, John James
Remnant, James Farquharson
Renton, Leslie
Roberts, G. H. (Norwich)
Roberts,S.(Sheffield,Ecclesall)
Ronaldshay, Earl of
Staveley-Hill, Henry (Staff'sh.
Talbot, Lord E. (Chichester)
Walker, Col.W.H. (Lancashire
White, Patrick (Meath, North)
Wyndham, Rt. Hon. George
Young, Samuel

TELLERS FOR THE NOES—Mr. George Gibbs and Earl Winterton.

Question put, "That the clause stand part of the Bill."

The Committee divided:—Ayes, 237; Noes, 55. (Division List No. 312.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Agar-Robartes, Hon. T. C. R.
Agnew, George William
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Ashton, Thomas Gair
Astbury, John Meir
Baker,Joseph A. (Finsbury, E.)
Baring, Godfrey (Isle of Wight)
Barlow, Percy (Bedford)
Barnes, G. N.
Beale, W. P.
Beaumont, Hon. Hubert
Benn,Sir J.Williams(Devonp'rt
Berridge, T. H. D.
Bethell,Sir J.H.(Essex,Romf'rd

Birrell, Rt. Hon. Augustine
Black, Arthur W.
Bowerman, C. W.
Brace, William
Branch, James
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Bryce, J. Annan
Buchanan, Thomas Ryburn
Burns, Rt. Hon. John
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Chamberlain,RtHn.J.A.(Worc.
Channing, Sir Francis Allston
Cheetham, John Frederick
Clough, William
Clynes, J. R.
Collins, Stephen (Lambeth)
Collins,SirWm.J.(S.Pancras,W
Corbett,C H (Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crooks, William
Curran, Peter Francis
Dalziel, James Henry
Davies, M. Vaughan (Cardigan)
Davies, Timothy (Fulham)
Davies,SirW.Howell(Bristol,S.
Dewar, Arthur (Edinburgh, S.)
Duncan, C. (Barrow-in-Furness
Dunne,Major E.Martin(Walsall
Edwards, Sir Francis (Radnor)
Essex, R. W.
Esslemont, George Birnie
Evans, Sir Samuel T.
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Fiennes, Hon. Eustace
Findlay, Alexander
Foster, Rt. Hon. Sir Walter
Fuller, John Michael F.
Furness, Sir Christopher
Gibb, James (Harrow)
Gladstone,Rt Hn.Herbert John
Gooch, George Peabody (Bath)
Grant, Corrie
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Griffith, Ellis J.
Guest, Hon. Ivor Churchill
Gulland, John W.
Gurdon,Rt Hn SirW.Brampton
Harcourt,Rt.Hn.L.(Rossendale
Harcourt, Robert V.(Montrose)
Hardie,J.Keir(Merthyr Tydvil)
Harmsworth, Cecil B. (Worc'r)
Harmsworth,R.L. (Caithn'ss-sh
Hart-Davies, T.
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hazel, Dr. A. E.
Hedges, A. Paget
Henderson, Arthur (Durham)
Herbert, Col. Sir Ivor (Mon.,S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobhouse, Charles E. H.
Hodge, John
Holland, Sir William Henry
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, Sir James Alfred
Jardine, Sir J.
Johnson, W. (Nuneaton)
Jones,Sir D.Brynmor (Swansea
Jones, Leif (Appleby)
Jones,William (Carnarvonshire
Kekewich, Sir George
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Lever,A.Levy (Essex,Harwich)
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lonsdale, John Brownlee
Lundon, W.
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
MacCaw, William J. MacGeagh
Macdonald, J. R. (Leicester)
Macdonald,J.M (Falkirk B'ghs)
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah (Down, S.
M'Callum, John M.
M'Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren, Sir C. B. (Leicester)
M'Laren, H. D. (Stafford, W.)
Mallet, Charles E.
Marks,G.Croydon (Launceston)
Marnham, F. J.
Massie, J.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morpeth, Viscount
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murray, James (Aberdeen, E.)
Myer, Horatio
Napier, T. B.
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
Parker, James (Halifax)
Pearce, Robert (Staffs, Leek)
Pease,Herbert Pike(Darlington
Philipps,Col.Ivor (S'thampton)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Powell, Sir Francis Sharp
Price, C. E. (Edinb'gh, Central)
Priestley,W.E.B.(Bradford,E.)
Radford, G. H.
Rainy, A. Rolland
Rea, Walter Russell (Scarboro'
Richards,Thomas (W.Monm'th
Richards, T. F (Wolverh'mpt'n
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Robertson,SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rose, Charles Day
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Scarisbrick, T. T. L.
Schwann,Sir C. E.(Manchester)
Scott,A.H.(Asht'n-under-Lyne
Seaverns, J. H.
Seely, Colonel
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Straus, B. S. (Mile End)
Sutherland, J. E.
Talbot,Rt.Hn.J.G.(Oxf'dUniv.
Tennant, H. J. (Berwickshire)
Thomas, Abel (Carmarthen, E.)
Thomasson, Franklin
Thompson,J.W.H.(Somerset,E
Thorne,G.R. (Wolverhampton)
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Villiers, Ernest Amherst
Vivian, Henry
Walker, H. De R. (Leicester)
Ward, John (Stoke-upon-Trent
Wardle, George, J.
Waring, Walter
Wason,Rt Hn.E.(Clackmannan
Wason,,John Cathcart (Orkney
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker,Rt Hn.SirThomasP.
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters

Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J. (York, W.R.)
Wilson, J. W. (Worcestersh. N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Yoxall, James Henry

Tellers for the Ayes—Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood, Rt Hn. Sir Alex. F
Balcarres, Lord
Banbury, Sir Frederick George
Beach, Hn. Michael Hugh Hicks
Bignold, Sir Arthur
Carlile, E. Hildred
Cecil, Lord John P. Joicey-
Collings, Rt. Hn. J. (Birmingh'm
Craik, Sir Henry
Dixon-Hartland, Sir Fred Dixon
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Faber, Capt. W. V. (Hants, W.)
Fardell, Sir T. George
Fell, Arthur
Forster, Henry William
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Gretton, John
Guinness, W. E. (Bury S. Edm.)
Hardy, Laurence (Kent. Ashf'rd
Harrison-Broadley, H. B.
Hay, Hon. Claude George
Hills, J. W.
Hope, James Fitzalan (Sheffield)
Hunt, Rowland
Kerry, Earl of
Kimber, Sir Henry
Lockwood, Rt. Hn. Lt.-Col. A. R.
Long, Col. Charles W. (Evesham
Lowe, Sir Francis William
Marks, H. H. (Kent)
Mildmay, Francis Bingham
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
Nolan, Joseph
O'Brien, Kendal (Tipperary, Mid
Oddy, John James
Pearson, W. H. M. (Suffolk, Eye
Percy, Earl
Rasch, Sir Frederic Carne
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Roberts, G. H. (Norwich)
Roberts, S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Staveley-Hill, Henry (Staff'sh.)
Talbot, Lord E. (Chichester)
Walker, Col. W. H. (Lancashire)
Warde, Col. C. E. (Kent, Mid)
White, Patrick (Meath, North)
Winterton, Earl
Wyndham, Rt. Hon. George
Young, Samuel

Tellers for the Noes—Mr. Goulding and Mr. George D. Faber.

Clause 19:

And, it being after Five of the Clock, the Chairman proceeded, pursuant to the Order of the House of 17th July, successively to put forthwith the Questions on the Amendments moved by the Government, of which notice had been given, and the Question necessary to dispose of the Business to be concluded this day.

Amendment proposed—

"In page 12, line 8, to leave out from beginning to the first word 'the' in line 9.'"—(*Mr. Herbert Samuel.*)

Question put, "That the Amendment be made."

The Committee divided:—Ayes, 228; Noes, 61. (Division List No. 313.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Agar-Robartes, Hon. T. C. R.
Alden, Percy
Allen, Charles P. (Stroud)
Ashton, Thomas Gair
Astbury, John Meir
Baker, Joseph A. (Finsbury, E.)
Baring, Godfrey (Isle of Wight)
Barlow, Percy (Bedford)
Barnes, G. N.
Beale, W. P.
Beaumont, Hon. Hubert
Benn, Sir J. Williams (Devonp'rt
Berridge, T. H. D.
Bethell, Sir J. H. (Essex, Romf'rd
Birrell, Rt. Hon. Augustine
Black, Arthur W.
Bowerman, C. W.
Brace, William
Branch, James
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Bryce, J. Annan
Buchanan, Thomas Ryburn
Burns, Rt. Hon. John
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Channing, Sir Francis Allston
Cheetham, John Frederick
Churchill, Rt. Hon. Winston S.
Clough, William
Clynes, J. R.
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W
Corbett, C H (Sussex, E. Grinst'd)
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crooks, William
Curran, Peter Francis
Dalziel, James Henry
Davies, M. Vaughan- (Cardigan
Davies, Timothy (Fulham)
Davies, Sir W. Howell (Bristol, S.
Dewar, Arthur (Edinburgh, S.)
Duncan, C. (Barrow-in-Furness
Dunne, Major E. Martin (Walsall
Edwards, Sir Francis (Radnor)
Essex, R. W.
Esslemont, George Birnie
Evans, Sir Samuel T.
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.

Ferguson, R. C. Munro
Fiennes, Hon. Eustace
Findlay, Alexander
Foster, Rt. Hon. Sir Walter
Fuller, John Michael F.
Furness, Sir Christopher
Gibb, James (Harrow)
Gladstone, Rt.Hn.HerbertJohn
Gooch, George Peabody (Bath)
Grant, Corrie
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Griffith, Ellis J.
Gulland, John W.
Gurdon,RtHn.SirW.Brampton
Harcourt,Rt.Hn.L.(Rossendale
Harcourt, Robert V.(Montrose)
Hardie, J.Keir(MerthyrTydvil)
Harmsworth, Cecil B. (Worc'r)
Harmsworth,R.L.(Caithn'ss-sh
Hart-Davies, T.
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hazel, Dr. A. E.
Hedges, A. Paget
Henderson, Arthur (Durham)
Herbert, Col. Sir Ivor(Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobhouse, Charles E. H.
Hodge, John
Holland, Sir William Henry
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, Sir James Alfred
Jardine, Sir J.
Jones, SirD.Brynmor(Swansea)
Jones, Leif (Appleby)
Jones,William(Carnarvonshire)
Kekewich, Sir George
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Lever, A.Levy (Essex,Harwich
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
MacCaw, William J. MacGeagh
Macdonald, J. R. (Leicester)
Macdonald, J.M.(Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah (Down,S.
M'Callum, John M.
M Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren, Sir C. B. (Leicester)
M'Laren, H. D. (Stafford, W.)
Mallet, Charles E.
Marks,G.Croydon (Launceston)
Markham, F. J.
Massie, J.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murray, James (Aberdeen, E.)
Myer, Horatio
Napier, T. B.
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
Parker, James (Halifax)
Pearce, Robert (Staffs, Leek)
Pearson, W.H.M. (Suffolk,Eye)
Philipps, Col.Ivor (S'thampton
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Price, C. E. (Edinb'gh, Central)
Priestley, W.E.B.(Bradford,E.)
Radford, G. H.
Rainy, A. Rolland
Rea, Walter Russell (Scarboro'
Richards, Thomas(W.Monm'th
Richards, T.F. (Wolverh'mpt'n
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson,SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rose, Charles Day
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Scarisbrick, T. T. L.
Schwann, Sir C. E. (Manchester
Scott,A.H.(Ashton-under-Lyne
Seaverns, J. H.
Seely, Colonel
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Straus, B. S. (Mile End)
Sutherland, J. E.
Tennant, H. J. (Berwickshire)
Thomas, Abel (Carmarthen, E.)
Thomasson, Franklin
Thompson,J.W.H.(Somerset,E
Thorne, G.R.(Wolverhampton)
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Villiers, Ernest Amherst
Vivian, Henry
Walker, H. De R. (Leicester)
Ward, John (Stoke-upon-Trent
Wardle, George J.
Waring, Walter
Wason,RtHn.E.(Clackmannan
Wason, John Cathcart(Orkney)
Waterlow, D. S.
Watt, Henry A.
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker,RtHn.SirThomasP.
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters
Wilson, Hon. G. G. (Hull, W.
Wilson, Henry J. (York, W. R.
Wilson, J.W.(Worcestersh. N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood,RtHn.SirAlex.F.
Balcarres, Lord
Banbury, Sir Frederick George
Barnard, E. B.
Beach, Hn.Michael Hugh Hicks
Bignold, Sir Arthur
Carlile, E. Hildred
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cochrane, Hon.Thos. H. A. E
Collings, Rt.Hn.J.(Birmingh'm
Craik, Sir Henry
Dixon-Hartland, SirFredDixon
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Faber, George Denison (York)
Fell, Arthur
Forster, Henry William
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Goulding, Edward Alfred
Gretton, John
Guinness, W.E.(Bury S. Edm.)
Hardy,Laurence(Kent,Ashford

Harrison-Broadley, H. B.
Hay, Hon. Claude George
Hills, J. W.
Hope, James Fitzalan (Sheffield
Hunt, Rowland
Kerry, Earl of
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Lockwood, Rt. Hn. Lt.-Col. A. R.
Long, Col. Charles W. (Evesham
Lowe, Sir Francis William
Lupton, Arnold
M'Arthur, Charles
Marks, H. H. (Kent)
Mildmay, Francis Bingham
Morpeth, Viscount
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
Nolan, Joseph
Oddy, John James
Pease, Herbert Pike (Darlington
Percy, Earl
Powell, Sir Francis Sharp
Rasch, Sir Frederic Carne
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Ronaldshay, Earl of
Staveley-Hill, Henry (Staff'sh.)
Talbot, Lord E. (Chichester)
Walker, Col. W. H. (Lancashire)
Warde, Col. C. E. (Kent, Mid)
White, Patrick (Meath, North)
Winterton, Earl
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE NOES—Mr. Samuel Roberts and Captain Faber.

Amendments proposed—

"In page 12, line 9, after the word 'licence,' to insert the words 'of any licensed premises.'"

"In page 12, line 15, to leave out the words 'to which this section is applied.'"

"In page 12, line 20, to leave out the words 'to which this section is applied.'"

"In page 12, line 24 at beginning, to insert the words 'In this section the expression "child" means a child under the age of fourteen years and.'"

"In page 12, line 26, to leave out the words 'a specified,' and to insert the word 'that.'"

"In page 12, line 29, to leave out from beginning to the word 'premises,' in line 30, and to insert the words 'nothing in this section shall apply in the case of a child who is resident but not employed in the licensed premises or in the case of.'"—(*Mr. Herbert Samuel.*)

Amendments agreed to.

Question put, "That the clause, as amended, stand part of the Bill."

The Committee divided:—Ayes, 229; Noes, 56. (Division List No. 314.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Agar-Robartes, Hon. T. C. R.
Alden, Percy
Allen, Charles P. (Stroud)
Ashton, Thomas Gair
Asquith, Rt. Hn. Herbert Henry
Astbury, John Meir
Baker, Joseph A. (Finsbury, E.)
Baring, Godfrey (Isle of Wight)
Barlow, Percy (Bedford)
Barnes, G. N.
Beale, W. P.
Beaumont, Hon. Hubert
Benn, Sir J. Williams Devonp'rt
Berridge, T. H. D.
Bethell, Sir J H. (Essex, Romf'rd
Birrell, Rt. Hon. Augustine
Black, Arthur W.
Bowerman, C. W.
Brace, William
Branch, James
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Bryce, J. Annan
Buchanan, Thomas Ryburn
Burns, Rt. Hon. John
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Channing, Sir Francis Allston
Cheetham, John Frederick
Churchill, Rt. Hon. Winston S.
Clough, William
Clynes, J. R.
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W
Corbett, C H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crooks, William
Curran, Peter Francis
Dalziel, James Henry
Davies, M. Vaughan- (Cardigan)
Davies, Timothy (Fulham)
Davies, Sir W. Howell (Bristol, S)
Dewar, Arthur (Edinburgh, S.)
Duncan, C. (Barrow-in-Furness
Dunne, Major E. Martin (Walsall
Edwards, Sir Francis (Radnor)
Essex, R. W.
Esslemont, George Birnie
Evans, Sir Samuel T.
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Fiennes, Hon. Eustace
Findlay, Alexander
Foster, Rt. Hon. Sir Walter
Fuller, John Michael F.
Furness, Sir Christopher
Gibb, James (Harrow)
Gladstone, Rt. Hn Herbert John
Gooch, George Peabody (Bath)
Grant, Corrie
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Griffith, Ellis J.
Gulland, John W.
Gurdon, Rt Hn. Sir W. Brampton
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardie, J. Keir (Merthyr Tydvil
Harmsworth, Cecil B. (Worc'r.)
Harmsworth, R L. (Caithn'ss-sh
Hart-Davies, T.
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hazel, Dr. A. E.
Hedges, A. Paget
Henderson, Arthur (Durham)
Herbert, Col. Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobhouse, Charles E. H.
Hodge, John
Holland, Sir William Henry
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, Sir James Alfred
Jardine, Sir J.
Jones, Sir D. Brynmor (Swansea)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire

Kekewich, Sir George
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Lever, A. Levy (Essex,Harwich
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
MacCaw, William J. MacGeagh
Macdonald, J. R. (Leicester)
Macdonald,J.M. (Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah (Down,S.)
M'Callum, John M.
M'Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren, Sir C. B. (Leicester)
M'Laren, H. D. (Stafford, W.)
Mallet, Charles E.
Marks,G.Croydon (Launceston)
Marnham, F. J.
Massie, J.
Menzies, Walter
Micklem, Nathaniel
Mildmay, Francis Bingham
Molteno, Percy Alport
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morse, L. L.
Morton, Alpheus Cleophas
Murray, James (Aberdeen, E.)
Myer, Horatio
Napier, T. B.
Norton, Capt. Cecil William
Nuttall, Harry
O'Donnell, C. J. (Walworth)
O'Grady, J.
Parker, James (Halifax)
Pearce, Robert (Staffs, Leek)
Pearson, W.H.M. (Suffolk,Eye)
Philipps,Col.Ivor (S'thampton)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Price, C. E. (Edinb'gh, Central)
Radford, G. H.
Rainy, A. Rolland
Rea,Walter Russell (Scarboro')
Richards,Thomas (W.Monm'th
Richards, T. F.(Wolverh'mpt'n
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson,Sir G Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rose, Charles Day
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Scarisbrick, T. T. L.
Schwann, Sir C.E.(Manchester)
Scott,A.H.(Ashton-under-Lyne
Seaverns, J. H.
Seely, Colonel
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Straus, B. S. (Mile End)
Sutherland, J. E.
Tennant, H. J. (Berwickshire)
Thomas, Abel (Carmarthen, E.)
Thomasson, Franklin
Thompson,J.W.H.(SomersetE.
Thorne, G. R. (Wolverhampton
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Villiers, Ernest Amherst
Vivian, Henry
Walker, H. De R. (Leicester)
Ward, John (Stoke upon Trent)
Wardle, George J.
Waring, Walter
Wason,Rt.Hn.E (Clackmannan
Wason,John Cathcart(Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax
Whittaker,Rt Hn.SirThomasP.
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J. (York, W.R.)
Wilson, J. W. (Worcestersh.N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood,Rt.Hn Sir Alex.F
Balcarres, Lord
Banbury, Sir Frederick George
Barnard, E. B.
Beach,Hn.Michael Hugh Hicks
Bignold, Sir Arthur
Carlile, E. Hildred
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cochrane, Hon. Thos. H. A. E.
Collings, Rt.Hn.J.(Birmingh'm
Craik, Sir Henry
Dixon-Hartland,Sir Fred Dixon
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Faber, George Denison (York)
Faber, Capt. W. V. (Hants, W.)
Fell, Arthur
Forster, Henry William
Goulding, Edward Alfred
Gretton, John
Guinness, W.E.(Bury S. Edm.)
Hardy,Laurence(Kent,Ashford
Harrison-Broadley, H. B.
Hills, J. W.
Hope,James Fitzalan(Sheffield)
Hunt, Rowland
Kerry, Earl of
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Lockwood, Rt.Hn.Lt.-Col.A.R.
Long, Col.Charles W.(Evesham
Lowe, Sir Francis William
Lupton, Arnold
M'Arthur, Charles
Marks, H. H. (Kent)
Morpeth, Viscount
Nicholson, Wm.G. (Petersfield)
Oddy, John James
Pease,Herbert Pike(Darlington
Powell, Sir Francis Sharp
Rasch, Sir Frederic Carne
Rawlinson,John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Roberts, S. (Sheffield,Ecclesall)
Ronaldshay, Earl of
Staveley-Hill, Henry (Staff'sh.)
Talbot, Lord E. (Chichester)
Walker, Col.W.H. (Lancashire)
Warde, Col. C. E. (Kent, Mid)
White, Patrick (Meath, North)
Winterton, Earl
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE NOES—Mr. George Gibbs and Mr. Nield.

Committee report Progress; to sit again upon Monday next.

Whereupon Mr. Speaker, pursuant to the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at Twenty-six minutes after Five o'clock till Monday next.

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

HOUSE OF LORDS.

Monday, 2nd November, 1908.

EARL OF ROSSE.

Report made from the Lord Chancellor that the right of William Edward, Earl of Rosse in the Peerage of Ireland, to vote at the elections of Representative Peers for Ireland has been established to the satisfaction of the Lord Chancellor; read, and ordered to lie on the Table.

RETURNS, REPORTS, ETC.

TRADE REPORTS: ANNUAL SERIES.

No. 4157. Spain.

No. 4158. France (Foreign Trade of 1907 and first half of 1908).

IRISH LAND COMMISSION.

Returns of advances made under the Irish Land Act, 1903, during the month of February, 1908.

Index to estates comprised in returns of advances made under the Irish Land Act, 1903, during the year ended 31st December, 1908.

Proceedings: Return for the month of September 1908.

Presented (by Command) and ordered to lie on the Table.

CRAN MEASURES ACT, 1908.

Regulations made by the Board of Agriculture and Fisheries under the provisions of the above Act for the making, examination, verification, and branding or marking of quarter-cran measures for use in buying, selling, delivering or receiving fresh herrings in any place in which the said Act is in force.

CENSUS OF PRODUCTION ACT, 1908.

Rules made by the Board of Trade, LXXVIII. to CXII.

LOCAL GOVERNMENT BOARD (IRELAND).

Order with respect to the urban county district of Keady.

SHOPS HOURS ACT, 1904.

Orders made by the following borough councils, and confirmed by the Secretary of State for the Home Department, fixing the hours of closing for certain classes of shops within the boroughs—Cheltenham; Dukinfield.

POST OFFICE (FOREIGN AND COLONIAL PARCEL POST).

The Foreign and Colonial Parcel Post Amendment (No. 26) Warrant, 1908, dated 5th October, 1908.

MERCHANT SHIPPING (MERCANTILE MARINE FUND) ACT, 1898.

Draft Order in Council altering the scale and rules set out in the Second Schedule to the Act, for the purpose of the levying of the light dues in pursuance of the Act.

FOREIGN JURISDICTION ACT, 1890.

Orders in Council, dated 19th October, 1908, entitled—The Nigeria Coinage Order, 1908; The Zanzibar (Amendment) Order in Council, 1908.

NAVAL AND MARINE PAY AND PENSIONS ACT, 1865.

Seven Orders in Council under the above-named Act.

MERCHANT SHIPPING ACT, 1894.

Order in Council, dated 19th October, 1908, prescribing an alternative form of indenture of apprenticeship to the sea fishing service to be used at Grimsby.

Laid before the House (pursuant to Act), and ordered to lie on the Table.

UNIVERSITY OF LONDON ACT, 1898.

Amendment of Statute No. 125 of the Statutes of the University of London.

Laid before the House (pursuant to Act), and to be printed. [No. 218.]

NURSES REGISTRATION BILL [H.L.].

Report of Amendments received (according to Order).

Verbal Amendments to Clause 2 agreed to.

Lord AMPTHILL had three Amendments on the Paper to paragraph (*d*) of Clause 4. This paragraph provided that the General Council for the Registration of Nurses should, *inter alia*, consist of—

> "Three registered medical practitioners to be appointed by the British Medical Association,

one to be resident in England, one to be resident in Ireland, and one to be resident in Scotland."

The Amendments proposed to leave out, in each case where they occurred, the words "be resident," and to substitute in their stead the words "represent the practitioners with a registered address." The noble Lord explained that the proposed new words were designed to meet the views of Lord Ashbourne. But the noble and learned Lord had since expressed himself contented with the wording of the paragraph as it stood. He (Lord Ampthill) did not, therefore, propose to move the Amendments.

LORD ASHBOURNE, who had several Amendments on the Paper to Clause 11, said that since putting down the Amendments he had read the new clause which the Lord President intended to substitute for Clause 11 now in the Bill. It was obvious that the noble Viscount had applied himself with great anxiety to meet the various points mentioned in the previous debate. Therefore he would not move his Amendments, except, perhaps the one to omit the words "and certify to be wholly or partly maintained out of rates"; but if the Lord President did not see his way to accept that Amendment, he would not feel it desirable to repeat his arguments on that point.

THE LORD PRESIDENT OF THE COUNCIL (Viscount WOLVERHAMPTON) moved the omission of Clause 11.

Amendment moved—

"To leave out Clause 11."—(*Viscount Wolverhampton.*)

On Question, Amendment agreed to.

VISCOUNT WOLVERHAMPTON then moved the substitution of a new Clause 11.

Amendment moved—

"To insert the following new Clause 11:—Any person who within three years from the commencement of this Act claims to be registered thereunder shall be so registered, provided such person is at least twenty-one years of age and is of good character, and either (1) holds a three years certificate of training from a hospital or from hospitals approved by the Council, or from an institution or institutions which the Local Government Board recommend, and certify to be wholly or partly maintained out of rates; or (2) holds a certificate of similar training as a nurse authorised by the Lords Commissioners of the Admiralty for the sick berth staff of the Royal Navy, or as a nurse authorised by the Army Council for soldiers of the Royal Army Medical Corps; or (3) holds a certificate from the Local Government Board for Ireland, that she possesses the qualifications prescribed for the purposes of Section 58 of the Local Government (Ireland) Act, 1898; or (4) produces evidence of training satisfactory to the Council, and has in addition been for at least three years in bona-fide practice as a nurse, or employed as a nurse in a naval or military hospital."—(*Viscount Wolverhampton.*)

THE MARQUESS OF SALISBURY moved the omission of "three years" before "certificate" in proviso (1) of the proposed new clause, and the insertion of words providing that the training should be "for such period as may be prescribed by the rules framed under the provisions of the Act." He said that the procedure under the Bill and the reform effected by the Bill constituted a new departure, and there was considerable doubt as to what the period of training ought to be. Since his noble friend introduced the Bill it had been brought to his notice and to the notice of the Government, that in the case of Army and Navy nurses the period of three years was too long. They were trained for a shorter period, and those who were qualified to speak on the matter had assured him that a shorter period than three years was quite sufficient in the case of these male nurses. Therefore the Government had inserted words in the proposed new clause to meet their case. But did not this incident show how careful they ought to be in fixing in an Act of Parliament the exact number of years training to be called for? It was quite true that at the present time there were not a very large number of institutions which trained male nurses. He did not pretend to be very well qualified to speak on the point, but he did not know of any other training schools for male nurses except those connected with the Army and the Navy, but there might be at any moment, and if it were true that a male nurse connected with the Army or the Navy could be trained in two years, that period of training would be sufficient in other similar cases. Therefore, Parliament ought to be very careful about fixing an exact number of years in the Act. But that was not all. One of the greatest hospitals in London, which turned out a large number of highly-qualified nurses, was satisfied with two years training. Were they to lay it down absolutely in the Act that the system which prevailed at the London Hospital was not a good system? He certainly did not feel qualified to say so, and he doubted whether the majority of their Lordships felt inclined to say so. Therefore, the better procedure would seem to be to leave the words elastic, so that the period might be inserted in the rules. The rules would come up for review by the Privy Council, and all that could be said against or for such a proposal would be stated before the Privy Council. After that the rules would be laid before Parliament, and it would be competent for their Lordships to say what they thought desirable on the matter. That, he thought, would be a more workmanlike method of dealing with this provision.

Amendment moved to the proposed new clause—

> "In line 4, to leave out the words 'three years,' and in line 5, after the word 'training' to insert the words 'for such period as may be prescribed by the rules framed under the provisions of the Act.'"—(*The Marquess of Salisbury.*)

*VISCOUNT WOLVERHAMPTON agreed to the Amendment on behalf of the Government.

LORD AMPTHILL was quite willing to agree to the Amendment, which he fully recognised carried out the noble Marquess' intention of introducing greater elasticity in the Bill. But he was not to be taken, by his acceptance of this Amendment, to be in agreement with the noble Marquess' next Amendment. He hoped the noble Marquess did not consider that the Amendments hung together.

THE MARQUESS OF SALISBURY: Oh, no.

On Question, Amendment to the proposed new clause, agreed to.

THE MARQUESS OF SALISBURY moved an Amendment to the same proviso, substituting "named in such rules" for "approved by the Council." He assured Lord Ampthill that, so far as he was concerned, this Amendment by no means hung to the Amendment to which their Lordships had just agreed. This Amendment arose out of an observation made by the noble Lord himself when the Bill was last before their Lordships. On that occasion a noble Lord—Lord Stanley of Alderley, he thought—expressed the opinion that it would be rather rash to allow the inclusion or exclusion of a particular hospital to be entirely at the discretion of the Council formed under the Act. The rejoinder made by Lord Ampthill was that he did not apprehend any such danger, but that if there was such a danger it was met by Clause 10, which constituted the Privy Council the superior authority in matters of this kind. He (Lord Salisbury) pointed out at the time, and subsequent investigation had confirmed his opinion, that Clause 10 would not, as a matter of fact, apply to cases of this kind. If they specially laid it down in the Act that the determination of what should be included or excluded should lie with the Nursing Council, then it would not be necessary for them to make regulations naming these institutions, and it was the regulations and the regulations alone which were subject to appeal to the Privy Council. He suggested at the time that the proper way probably of dealing with the matter was to make the question as to whether a hospital should be included or excluded, one on which the Privy Council should have jurisdiction over the head, if necessary, of the Nursing Council. He had, therefore, in his Amendment included amongst the matters to be subject to regulation the selection of the hospitals which were to be considered qualified as training institutions under the Act. The object of his Amendment was to vest in some authority a power of appeal over a rash or hasty or unfair decision by the Nursing Council. Lord Donoughmore had drawn up an Amendment dealing with the same point, namely, to insert words providing that—

> "If the Council refuse to recognise any hospital or institution as an approved training school for nurses under this Act, the governing body of such hospital or institution, or any person aggrieved by such refusal, may make a representation to the Privy Council, and the decision of the Privy Council shall be binding on the Council."

If their Lordships preferred that method of dealing with the point, he (Lord Salisbury) was willing to withdraw his own Amendment. So long as the object was secured, the form did not very much matter. The only difference between the two Amendments was, that under his method the names of the hospitals would not only be submitted to the Privy Council, but would be laid before Parliament, whereas under Lord Donoughmore's method there would be only an appeal to the Privy Council.

Amendment moved to the proposed new clause—

"In lines 5 and 6, to leave out the words 'approved by the Council' and to insert 'named in such rules.'"—(*The Marquess of Salisbury.*)

*VISCOUNT WOLVERHAMPTON said the Government could not accept the noble Marquess' Amendment as they did not possess the machinery necessary for carrying it out. If Lord Ampthill agreed, he was prepared to accept, when they came to it, the Amendment standing in the name of Lord Donoughmore, which gave an appeal to the Privy Council and therefore covered Lord Salisbury's point.

LORD AMPTHILL was of opinion that Lord Salisbury's Amendment would be quite unworkable. It seemed to him that they might just as well in the rules under the Old-Age Pensions Act insist on a nominal roll of all those who were qualified for a pension, as insist that every institution to be accepted as a training school should be named in the rules under this Bill. During the first three years after the passing of the Act, presuming that the Bill became law, there would be constant applications from institutions to be recognised as training schools. Every time such an application was made it would have to be submitted to the Privy Council, and the rules would require to be reprinted. The rules, he took it, would have to be circulated. There would, therefore, be a constant circulation. He did not think it necessary to assume that the Nursing Council, constituted as it was proposed to be, would come to rash, hasty, or unfair decisions. He would, however, be quite willing to agree to there being a final appeal to the Privy Council. He, therefore, hoped the noble Marquess would withdraw his Amendment in favour of that standing in the name of Lord Donoughmore.

THE MARQUESS OF SALISBURY thereupon withdrew his Amendment.

Amendment, by leave, withdrawn.

THE MARQUESS OF SALISBURY then moved his final Amendment to the proposed new clause. He said it was not really consequential. He hoped it would be accepted.

Amendment moved to the proposed new clause—

"In lines 15 and 16 to leave out the words 'evidence of training satisfactory to the Council,' and to insert the words 'evidence satisfactory to the Council of training prescribed by the rules framed under the provisions of this Act.'"—(*The Marquess of Salisbury.*)

*VISCOUNT WOLVERHAMPTON said he had no objection to the Amendment, and

LORD AMPTHILL accepted it.

On Question, Amendment agreed to.

Proposed new clause, as amended, agreed to.

*VISCOUNT WOLVERHAMPTON moved to leave out Clause 12 in order to insert a new clause.

Amendment moved—

"To leave out Clause 12."—(*Viscount Wolverhampton.*);

On Question, Amendment agreed to.

*VISCOUNT WOLVERHAMPTON moved the insertion of the proposed new clause. He said the latter part of the clause, as well as the provisions of Clause 11 dealing with naval and military nurses, had been drawn up with the advice of the Admiralty and the War Office.

Amendment moved—

"To insert the following new clause: '12. At the expiration of the said term of three years any person who claims to be registered under this Act shall be entitled to be so registered, provided that such person produces evidence satisfactory to the Council that he or she has been trained in the wards of a hospital or of hospitals approved of by the Council, or in an institution or institutions which the Local Government Board recommend and certify to be wholly or partly maintained out of rates, or has been trained as a nurse under regulations authorised by the Lords Commissioners of the Admiralty for the sick berth staff of the Royal Navy, or as a nurse authorised by the Army Council for soldiers of the Royal Army Medical Corps for such term as may be fixed by the Council, and has passed such examination as the Council may prescribe, or produces a certificate of having passed an examination which the Council accepts in lieu thereof.'"—(*Viscount Wolverhampton.*)

On Question, Amendment agreed to.

THE EARL OF DONOUGHMORE then moved his new clause, to follow the last-mentioned clause, and said that as the Lord President and Lord Ampthill had both intimated that they were prepared to accept his Amendment he would not detain their Lordships with any observations upon it.

Amendment moved—

"To insert the following new clause: '13. If the Council refuse to recognise any hospital or institution as an approved training school for nurses under this Act, the governing body of such hospital or institution, or any person aggrieved by such refusal, may make a representation to the Privy Council, and the decision of the Privy Council shall be binding on the Council.'"—(*The Earl of Donoughmore.*)

LORD ASHBOURNE thought the proposed new clause useful and adequate so far as it went, but there was no appeal provided in it against the action of the Local Government Board, who might, quite *bona fide*, make a mistake. He therefore suggested that the clause should read "If the Council or the Local Government Board refuse," etc. This would give an appeal from the Local Government Board as well as from the Nursing Council. He did not think there would be the slightest inconvenience in this.

*VISCOUNT WOLVERHAMPTON said the first step the Privy Council would take when an appeal was made to them would be to refer it to the Local Government Board. Therefore, under the noble and learned Lord's suggested Amendment the Local Government Board would be a party to the appeal, and, at the same time, advisers of the appellate authority.

LORD ASHBOURNE said the Local Government Board had substantial powers of recognising or not recognising institutions, and unless there was an appeal the Local Government Board would be absolutely autocratic.

THE LORD PRIVY SEAL AND SECRETARY OF STATE FOR THE COLONIES (The Earl of CREWE): I think there is force in what the noble and learned Lord says; but is it not, as a matter of practice, very unusual to give an appeal in so many words from one Government Department to another? I cannot recall any instance in which this is done, and it appears to me that to appeal from the Local Government Board in Whitehall to the Privy Council also in London is a very unusual course. I do not know whether the noble and learned Lord can suggest any precedent.

LORD ASHBOURNE did not think it was a question of precedent. It was a question of what was obviously for public convenience in administration. There was nothing unconstitutional or illegal in his suggestion.

THE LORD CHANCELLOR (Lord LOREBURN): What is suggested is an appeal from one Government Department—that is to say, from one Member of the Cabinet who acts with Cabinet responsibility—to the Privy Council. That seems to me a difficult thing to work out; and if it is begun, I do not know where it will end.

LORD ASHBOURNE intimated that after what had been said he would not move his Amendment.

THE LORD CHANCELLOR: Then I will put Lord Donoughmore's proposed new clause as it stands.

On Question, proposed new clause agreed to.

*VISCOUNT WOLVERHAMPTON said that his Amendment to Clause 14 was practically consequential on the new provisions of Clauses 11 and 12 with regard to naval and military nurses. He therefore formally moved.

Amendment moved—

"In page 6, line 23, after the word 'council' to insert the words 'or who have qualified as medical attendants to the Royal Army Medical Corps.'"—(*Viscount Wolverhampton.*)

On Question, Amendment agreed to.

Drafting Amendment agreed to.

Bill to be read 3^a on Tuesday the 10th instant, and to be printed as amended. [No. 219.]

House adjourned at five minutes before Five o'clock, till Tomorrow, a quarter past Four o'clock.

HOUSE OF COMMONS.

Monday, 2nd November, 1908.

The House met at a quarter before Three of the Clock.

RETURNS, REPORTS, ETC.

CRAN MEASURES ACT, 1908.

Copy presented, of Regulations made by the Board of Agriculture and Fisheries under the Act, for the making, examination, verification, and branding or marking of Quarter-Cran Measures for use in buying, selling, delivering, or receiving fresh herrings in any place in which the Act is in force [by Act]; to lie upon the Table.

POST OFFICE (FOREIGN AND COLONIAL PARCEL POST).

Copy presented, of the Foreign and Colonial Parcel Post Amendment (No. 24) Warrant, 1908. Dated 5th October 1908 [by Act]; to lie upon the Table.

IRISH LAND COMMISSION (PROCEEDINGS).

Copy presented, of Return of Proceedings during the month of September 1908 [by Command]; to lie upon the Table.

CENSUS OF PRODUCTION ACT, 1906.

Copy presented, of Rules made by the Board of Trade [by Act]; to lie upon the Table.

UNIVERSITY OF LONDON ACT, 1898.

Copy presented, of Amendment of Statute No. 125 of the Statutes of the University of London [by Act]; to lie upon the Table.

FOREIGN JURISDICTION ACT, 1890.

Copies presented, of Orders in Council, dated 19th October 1908, entitled (1) The Nigeria Coinage Order, 1908; (2) The Zanzibar (Amendment) Order in Council, 1908 [by Act]; to lie upon the Table.

MERCHANT SHIPPING ACT, 1894.

Copy presented, of Order in Council, dated 19th October, 1908, prescribing an alternative form of Indenture of Apprenticeship to the Sea Fishing Service, to be used at Grimsby [by Act]; to lie upon the Table.

NAVAL AND MARINE PAY AND PENSIONS ACT, 1865.

Copies presented, of Seven Orders in Council, dated 19th October 1908, approving Memorials of the Lords Commissioners of the Admiralty praying sanction to—(1) The payment of an allowance to the Flag Officer on the staff of the Commander-in-Chief of His Majesty's Home Fleet in lieu of servants; (2) An amendment of the regulations as to the study of Foreign languages, so far as relates to Japanese; (3) An alteration of the system of remunerating Officers employed in the correction of charts; (4) The grant of charge pay to Engineer Officers in charge of machinery, in certain cases; (5) An increased rate of pay to Officers and men of the Royal Marines for acting as shorthand writers at Naval Courts Martial, etc.; (6) A modification, in certain respects, of the pay of Men of the Royal Marines; (7) The payment of Stewardesses employed in His Majesty's Yachts [by Act]; to lie upon the Table.

RAILWAY COMPANIES (CHARITABLE AND OTHER CONTRIBUTIONS, 1907).

Return presented, relative thereto [ordered 30th October; *Sir Hudson Kearley*]; to lie upon the Table, and to be printed. [No. 312.]

MERCHANT SHIPPING (MERCANTILE MARINE FUND) ACT, 1898.

Copy presented, of Draft Order in Council altering the Scale and Rules set out in the Second Schedule to the Act, for the purpose of the levying of the Light Dues in pursuance of the Act [by Act]; to lie upon the Table.

TRADE REPORTS (ANNUAL SERIES).

Copy presented, of Diplomatic and Consular Reports, Annual Series, Nos. 4,159 and 4,160 [by Command]; to lie upon the Table.

CRIMES (IRELAND).

Return ordered, "of the number of serious Crimes included in the Returns laid by the Constabulary authorities in Ireland before His Majesty's Judges at the Winter Assizes, 1905, in the following form :—

Counties.	Number of Serious Crimes.	
	Since last Assizes.	In corresponding period of previous year.
Totals - - - -		

And similar Returns in respect of the Spring, Summer, and Winter Assizes, 1907, and the Spring and Summer Assizes, 1908."—(*Mr. Lonsdale.*)

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Precautions against Anthrax.

MR. BRIGG (Yorkshire, W.R., Keighley): To ask the President of the Board of Trade if, in consequence of the discovery by Dr. Enrich that the fatal disease of anthrax is traceable to blood in a certain condition of decay, he will take all possible steps to prevent bloodstains and pieces of skin from being included in bales of wool and hair which are imported into this country for manufacturing purposes.

(*Answered by Mr. Churchill.*) In order to ascertain the presence or otherwise of bloodstains or pieces of skin in bales of wool or hair imported, it would be necessary to examine the whole of the contents of each bale, and I am not prepared to suggest to the Customs the adoption of such a course. I am, however, considering whether any other steps can usefully be taken with a view to diminishing the danger referred to.

Free Travelling Allowance for Officers' Wives.

MR. PIKE PEASE (Darlington): To ask the Secretary of State for War why refusal has been given as to the payment of free travelling allowance, as promised, for officers' wives in the event of officers being moved from a station on permanent duty.

(*Answered by Mr. Secretary Haldane.*) The promise of free conveyance, made in 1906, to which the hon. Member is apparently alluding, only applied to conveyance by sea. The regulations are contained in paragraphs 426 and 427 of the Allowance Regulations.

Delay in Gazetting Officers to the Territorial Force.

MR. DU CROS (Hastings): To ask the Secretary of State for War whether he is aware that officers who have been serving in the Territorial Forces of the South Midland District since January last have not yet been gazetted, and have not yet received the outfit allowance to which they are entitled; and whether he will take the steps necessary to have these points attended to without further delay.

(*Answered by Mr. Secretary Haldane.*) I am aware that a certain number of officers of the South Midland Division have not yet been gazetted; but as I have already explained to the House, the gazetting of officers of the Territorial Force, an intricate and tedious operation, is being pushed on as rapidly as possible. As regards the outfit allowance, this grant is made to officers when approved by the General Officer Commanding-in-Chief. Perhaps the hon. Member will inform me of the particular cases to which he refers.

Compensation for Accidents to Territorial Soldiers on Duty.

SIR FRANCIS CHANNING (Northamptonshire, E.): To ask the Secretary of State for War whether in the interpretation of paragraph 457 of the regulations for the Territorial Force, the allowance granted to non-commissioned officers and men in respect of injuries received in and through the performance of military duty and incapacitating temporarily for the ordinary trade or calling of the injured man, the phrase in and through military duty is held to include injuries arising from accident during the going to and coming from the place where the military duty is performed, on the ground that the going to or coming from the place is an essential condition of the performance of the military duty.

(*Answered by Mr. Secretary Haldane.*) The general interpretation to be given to the regulations is that a Territorial soldier, to be entitled to the gratuity, must have joined, and be acting with, a military body. A man proceeding to or from the place where he joins his company, detachment, etc., is not entitled to it.

The Territorial Force and the Full-Dress Head-Dress.

MAJOR COATES (Lewisham): To ask the Secretary of State for War whether, as the withdrawal of the full-dress head-dress from units of the Territorial Force is producing a bad effect on recruiting for that force, the County Associations can be authorised to re-issue the head-dress and to pay for the same.

(*Answered by Mr. Secretary Haldane.*) Two suits of uniform can be provided by the associations out of public funds, one of which must be service dress, and the other may be a walking-out dress. It was not considered necessary that full-dress head-dress should be provided for wear with either description of uniform.

Alleged Overcrowding in Paddington Workhouse.

MR. BOWERMAN (Deptford): To ask the President of the Local Government Board whether he is aware that, on Monday night last, a number of men who entered the Paddington Workhouse had to sleep on the floor in the old condemned casual ward with only two or three inches between each man, and the walls reeking with moisture, the consequence being that some of the men have lost the use of the voice, and others are in the hands of a doctor; and whether he proposes to take any, and what, action in the matter.

(*Answered by Mr. John Burns.*) I have made inquiry on this subject and find that, at 9.15 in the evening of Monday the 19th October, ninety-three able-bodied men presented themselves for admission to the Paddington Workhouse. Fifty-four of the men were accommodated in the receiving wards, and thirty-nine in the old casual wards. I am informed that the latter building is in a sound condition, and that it is not correct to say that the walls were reeking with moisture. Three rooms were placed at the disposal of the men, but, as one of them had been recently scrubbed, they elected to sleep in the other two. The floor space of one is 39 feet by 18, and the other 24 feet by 18. The rooms are stated to be lofty and they are lighted with gas. There was an abundant supply of hot and cold water and other sanitary conveniences. There were not enough bedsteads on the premises for all the men, but each of them was supplied with a hair mattress, two blankets and a flock pillow. It is not stated that any of the men suffered any ill effects, and, so far as I can judge, the master seems to have made the best arrangements he could to meet the emergency caused by so large an influx of men late in the evening.

Auxiliary Postmen at Belfast.

MR. SLOAN (Belfast, S.): To ask the Postmaster-General if he can explain why it is necessary to keep auxiliary postmen at Belfast from twelve to eighteen months without giving them permanent appointments, and thus enable them to come under the regulations for the supply of uniform and boots.

To ask the Postmaster General if he is aware that there are about thirty ex-soldiers and sailors employed as auxiliary postmen at Belfast; that many of them have been acting as such for the past twelve or eighteen months, and have not yet received uniform or boot allowance; and whether, seeing that letter-carriers employed for more than three hours daily are entitled to be supplied with uniform, and those employed for five hours daily or more are entitled to uniform and boot allowance, he can see his way to have the regulations in these cases carried out forthwith.

(*Answered by Mr. Sydney Buxton*). It will be convenient to answer both of the hon. Member's Questions together. A revision of the outdoor postal services at Belfast is under consideration, and, pending settlement of the details, it has been necessary to employ some temporary men for postmen's duties. These men are not necessarily eligible for permanent appointments, nor are they entitled to uniform or boot allowances.

Arrests for Drunkenness.

MR. BOTTOMLEY (Hackney, S.): To ask the Secretary of State for the Home Department whether he can state the number of arrests for drunkenness in Glasgow, Edinburgh, Swansea, Cardiff and London, respectively, on Sunday, 25th October instant.

(*Answered by Mr. Herbert Samuel.*) My right hon. friend has asked for the figures for Swansea, Cardiff, and London, but has not yet obtained them. If the hon. Member wishes for the figures for Glasgow and Edinburgh he should apply to the Scottish Office.

Sale of Foreign Meat.

MR. HUNT (Shropshire, Ludlow): To ask the Secretary of State for the Home Department whether, in view of the fact that no test for tuberculosis is possible for any of the chilled, frozen, or tinned beef and mutton imported into this country, he can see his way to compel butchers who sell foreign meat to have a notice to that effect plainly written over their shops and on their carts; and, if unable to do this, will he introduce legislation for this purpose to protect the general public of this country.

To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether, in view of the fact that no test for tuberculosis is at present possible for any of the frozen, chilled, or tinned beef and mutton imported into this country, he could see his way to imposing such a test for the protection of the British public.

(*Answered by Mr. John Burns.*) Perhaps I may be allowed to answer these Questions. I do not think it would be practicable to adopt the precise expedients which the hon. Member suggests; but the subject of the importation of foreign meat has received my consideration, and I have lately issued some regulations with regard to the matter which come into force on 1st January next, and a copy of which I will send to him.

Fraudulent Colliery Certificates.

MR. CARLILE (Hertfordshire, St. Albans): To ask the Lord Advocate whether, in view of the injury to British commerce should foreign countries find that false colliery certificates are not held to be fraudulent in Scotland, he will reconsider his decision not to permit criminal proceedings to be taken in the case complained of by Messrs. Coats.

(*Answered by Mr. Thomas Shaw.*) The Question appears to be based on a misapprehension of the legal position, and I see no reason to depart from the decision as to criminal proceedings already announced.

Old-Age Pensions—Voluntary Allowances.

MR. CAVE (Surrey, Kingston): To ask Mr. Chancellor of the Exchequer what instructions have been given to the pension officers as to taking into account as means within the Old-Age Pensions Act any voluntary allowances made by employers to their old servants.

(*Answered by Mr. Lloyd-George.*) It has not been thought necessary to give any more specific instructions as regards the calculation of money income than are contained in Section 4 (1) (a) of the Act.

Outstanding War Loan.

MR. BOWLES (Lambeth, Norwood): To ask Mr. Chancellor of the Exchequer what is the present amount outstanding of the £30,000,000 2¾ percentum war loan; and what amount is expected to be paid off of that loan by the end of the current financial year, 1908–9.

(*Answered by Mr. Lloyd-George.*) The amount of war loan outstanding on the 30th September 1908 was £22,326,602, I can give no information in advance as to the intended application of sinking fund moneys to the purchase of a particular security.

Revenue Estimates.

MR. CHIOZZA MONEY (Paddington, N.): To ask Mr. Chancellor of the Exchequer whether his attention has been directed to the fact that, while the Revenue Estimates submitted to the House in the Budget of 1907 proved to be much too low, those of the present year have proved to be much too high; whether the attention of the permanent officials concerned has been directed to the miscalculations made upon both these occasions; and whether, seeing that at the time when the Budget was submitted to the House of Commons this year all available evidence indicated that the fall in revenue which has occurred was likely to occur, he can give any assurance that in future years those who prepare the Estimates of revenue will consult the Board of Trade as to the commercial outlook, in order that such incorrect figures may not again be submitted to this House.

(*Answered by Mr. Lloyd-George.*) Whether the revenue of the current year has been over-estimated in the Budget or not is a question on which it would be premature to pronounce at present. But my hon. friend may rest assured that when Budget forecasts fail, as they sometimes do in one direction or the other, it is not for the want of attention to the indications, so far as they may be available, of the commercial outlook.

Graduation of Income-Tax.

MR. CHIOZZA MONEY: To ask Mr. Chancellor of the Exchequer if his attention has been directed to the fact that the Prussian Government, faced with the need of raising a largely-increased revenue, have made a further progressive graduation of the income-tax; and if he will consider this example in relation to the British financial situation.

(*Answered by Mr. Lloyd-George.*) I am aware of the proposals which have recently been laid before the Prussian Diet.

Unemployed Grant to Ireland.

MR. KETTLE (Tyrone, E.): To ask Mr. Chancellor of the Exchequer what part of the sum of £300,000 available this year, under the Unemployed Workmen Act, will be allocated to Ireland.

(*Answered by Mr. Lloyd-George.*) The grant (of which only £200,000 has so far been voted) has not yet been allocated between the three countries. The allocation will be determined with reference to the requirements, when these have been ascertained. In the meantime, issues on account are made by the Treasury to the Local Government Board as necessity arises.

Income-Tax on Money Remitted from Australia.

MR. C. MACVEIGH (Donegal, E.): To ask Mr. Chancellor of the Exchequer whether he is aware that the surveyors of taxes demand income-tax on money that has already paid income-tax in New South Wales; whether he will state if money coming here as capital from Australia is liable to income-tax when it reaches England; whether he is aware that double income-tax and exchange means £12 per £100; and will he take immediate steps to end this alleged grievance.

(*Answered by Mr. Lloyd-George.*) The fact that money remitted from abroad has been subjected to income-tax in a British Colony does not exempt it from liability to taxation in this country under the Income-Tax Acts, and, as at present advised, I do not see my way to propose any alteration of the law in this respect. As regards the other point raised by the hon. Member, remittances which are clearly shown to be remittances of capital are not taxable as income in this country.

Expenditure on the Unemployed in Ireland.

MR. KETTLE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland what was the total expenditure in Ireland in each of the three years 1905–6, 1906–7, and 1907–8, out of the Parliamentary grant available under the Unemployed Workmen Act.

(*Answered by Mr. Birrell.*) There was no Parliamentary grant for the purposes of the Unemployed Workmen Act in the year 1905–6. The amount of the grant to Ireland in 1906–7 was £11,050, and 1907–8 £4,500.

Irish Teachers' Examinations.

CAPTAIN CRAIG (Down, E.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been drawn to new rules recently and unexpectedly issued by the Intermediate Board of Education in Ireland prohibiting pupils who had passed in any grade from examination in the same grade again, no matter whether qualified by age or not; whether he is aware that if proper notice had been given to the Board's intention many pupils would have waited longer before attempting the examination in order to compete for scholarships; and whether, in view of the hardship inflicted by the introduction of the new rule at short notice, he will urge its postponement till after the examinations in 1909.

(*Answered by Mr. Birrell.*) The Board of Intermediate Education have decided to submit a new rule which will have the effect of suspending, until after next year's examinations, the operation of Rule 14b in all grades except the preparatory grade. The new rule will be laid upon the Table of the House in due course.

Messrs. Peacock, of Wandsworth, and Government Contracts.

Mr. W. T. WILSON (Lancashire, Westhoughton): To ask the Secretary of State for War whether he is aware that the firm of Messrs. Peacock, of Wandsworth, who are on the list of contractors to the War Office, employ a very large amount of boy labour, and do a great deal of their work piecework, which is contrary to the rules signed by the master carpenters and joiners of London and the operatives; that the firm absolutely refuse to comply with the said rules; whether he will take steps to induce this firm to conform with the rules signed by the employers and operatives; and, failing which, whether he will remove this firm from the list of contractors invited to tender for work in connection with his department.

(*Answered by Mr. Secretary Haldane.*) Messrs. Peacock, although on the list of contractors, do not hold at present any contract. Should a contract be made with them at any future time it would contain the usual wages provisions, strict observance of which would be required.

British Vessels seized or Delayed during the Russo-Japanese War.

Mr. PIKE PEASE: To ask the Secretary of State for Foreign Affairs whether he will state the names and tonnage of the British ships seized, delayed, and damaged by the Russian forces during the Russo-Japanese War.

(*Answered by Secretary Sir Edward Grey.*) The following table contains the names of the vessels falling in the category mentioned, and their gross and net tonnage taken from the Mercantile Navy Lists for 1904 and 1905:—

Vessel.	Gross tonnage.	Net tonnage.
Allanton - -	4,253	2,775
Ardova - - -	3,533	2,271
Calchas - - -	6,748	4,279
Chingping - -	1,385	1,062
Cilurnum - -	2,123	1,370
Ettrickdale - -	3,776	2,468
Formosa - -	4,045	2,616
Foxton Hall - -	4,247	2,734
Frankby - -	4,182	2,618
Fuping - - -	1,393	1,052
Hipsang - -	1,659	1,040
Hsiping - - -	1,981	1,267
Ikhona - - -	5,252	3,383
Knight Commander	4,306	2,716
Malacca - -	4,045	2,616
Oldhamia - -	3,639	2,347
Ras Bera - -	3,837	2,500
St. Kilda - -	3,518	2,269
Wenchow - -	898	560

Suggested Establishment of an Agricultural Bank at St. Lucia.

Sir HENRY KIMBER (Wandsworth): To ask the Under-Secretary of State for the Colonies whether, in view of the imposition at an early date of a tax on landed property at St. Lucia, and of the difficulty experienced by the smaller proprietors in raising money at a reasonable rate of interest to develop and work their holdings, whereby the development of the Colony is retarded, the Secretary of State for the Colonies would be willing to facilitate the establishment of an agricultural bank in St. Lucia, as recommended by Mr. Administrator Cork, by allowing a portion of the £25,000 surplus to be used as a nucleus of capital for such bank.

(*Answered by Colonel Seely.*) It is true that the Administrator, Mr. Cork, submitted certain proposals in 1906 for the establishment in St. Lucia of a scheme for providing loans under an Agricultural Loan Ordinance. These proposals were carefully considered at the time, but were not deemed suitable for application to the conditions obtaining in St. Lucia, and Mr. Cork was so informed. He has, no doubt, not lost sight of this important question, and the Secretary of State will ascertain from him whether he has any further proposals to make. He will also consult the Governor, who is at present on leave in this country. In the absence of definite proposals it seems premature to discuss the possible sources from which the capital for such an undertaking could be obtained.

Pay of Board of Education Assistant Clerks.

MR. FIELD (Dublin, St. Patrick): To ask the President of the Board of Education whether he is aware that a number of assistant clerks (new class) in the Board's service are, at the age of twenty-one, in receipt of less than 23s. per week; whether several assistant clerks of over nine years service, about the age of twenty-eight years, are in receipt of £86 or less per annum; and whether the Board will make representations to the Treasury with a view of increasing those salaries.

(*Answered by Mr. Runciman.*) The Answer to the first part of the Question is in the affirmative. I do not think it would be expedient or in accordance with practice to give information as to communications which are, or may be, made to the Treasury on such matters.

Elementary Schools in England and Wales.

MR. JESSE COLLINGS (Birmingham, Bordesley): To ask the President of the Board of Education if he will state the number of public elementary schools in England and Wales, stating as far as possible the number in rural, semi-rural, and urban districts, respectively, and how many of such schools have school gardens or land attached to them.

(*Answered by Mr. Runciman.*) The information required for the classification adopted in the Question is not readily available, but I may say that on 1st August, 1907, there were 14,807 schools in county areas, exclusive of those boroughs and urban districts which are local education authorities for the purposes of Part III. of the Education Act, 1902; but a considerable proportion of those schools are, of course, situated in the smaller boroughs and urban districts. With regard to the last part of the Question, I may refer the right hon. Gentleman to the Answers which I gave to my hon. friend the Member for East Northants on the 17th March last, copies of which I am sending to him.

Education Code—Footnote to Article 10.

MR. G. A. HARDY (Suffolk, Stowmarket): To ask the President of the Board of Education whether, in view of the fact that the footnote to Article 10 of the Code of Regulations for Public Elementary Schools in England, 1906, did not appear in the Codes of Regulations for Public Elementary Schools in England, 1907 and 1908, the policy of the Board of Education in regard to this matter has been varied; and whether, if the policy of the Board in this matter is as indicated in the Code of Regulations for Public Elementary Schools in England, 1906, the Board intend, as in paragraph 3 of the prefatory memorandum of that code, to insert in the Code for 1909 the requirement that there shall be on the staffs of public elementary schools a certain number of certificated teachers who have undergone a course of training in a training college.

(*Answered by Mr. Runciman.*) With regard to the first part of the Question, I beg to refer my hon. friend to the Answer which I gave on this subject on the 29th July last. The question of re-enacting this or a similar requirement is now under consideration.

Compulsory Inspection of Live Stock Sold for Food.

MR. FIELD: To ask the President of the Local Government Board whether his attention has been drawn to the lecture delivered on 23rd May last by Mr. Dunscombe Vallance to the members of the Bucks Chamber of Agriculture, in which the lecturer advised farmers to sell tuberculous cows to the meat trader without disclosing their diseased conditions; and whether, having regard to the fact that the possession by a retailer of a tuberculous animal is regarded as a crime, measures will be adopted to make a compulsory veterinary examination of all animals entering live stock markets as food or otherwise to give a warranty as to their soundness to purchasers.

(*Answered by Mr. John Burns.*) I have seen a report of the lecture referred to. The subject of the inspection of milch cows is receiving my consideration, but I cannot promise to give effect to the suggestion in the last part of the Question.

Proportion of Staff to Patients at Metropolitan Asylums Board Fever Hospitals.

MR. PIKE PEASE: To ask the President of the Local Government Board whether he can state the proportion of officials and employees to patients in the fever hospitals of the Metropolitan Asylumns Board on 1st January, 1908.

(*Answered by Mr. John Burns.*) The returns of the staff at the Metropolitan Asylums Board are made up fortnightly, and the date nearest to 1st January last, for which there is a record, is 25th December, 1907. The total number of the officials and employees of all kinds at the hospitals was 3,850, and of the patients 6,244. The numbers include as regards the small-pox hospitals, (a) the staff held in readiness for any small pox cases that might occur; (b) the staff for fever purposes at the Joyce Green small-pox hospital, which was being used as an emergency fever hospital at the time; and (c) the Joyce Green farm staff.

Cost of Up-keep of Highways.

MR. MACKARNESS (Berkshire, Newbury): To ask the President of the Local Government Board whether he can give information as to the cost of the maintenance of roads in each of the counties of England and Wales in each year from 1902 to 1907, both inclusive; and whether he can ascertain what part of the additional cost of the maintenance of roads is, in the opinion of the highway authorities of the various districts, attributable to motor traffic.

(*Answered by Mr. John Burns.*) Particulars of the expenditure on main roads and other highways by county councils and by the councils of boroughs and other urban districts and of rural districts are given in the annual Local Taxation Returns. The authorities other than county councils are grouped under the head of counties. The Returns for the years 1902 to 1906 (except one Part for 1906) have been published, and I shall be happy to send my hon. friend a set of them if he so desires. The Returns for 1907 are in preparation. I am unable to say what part of the cost of highway maintenance the highway authorities attribute to motor traffic.

Motor Traffic—Applications to fix Speed Limit.

MR. MACKARNESS: To ask the President of the Local Government Board whether he will state on what grounds five applications by local authorities for restriction of motor traffic on special roads have been refused by the Local Government Board, and for what reasons twelve applications were withdrawn or dropped.

(*Answered by Mr. John Burns.*) The particulars which my hon. friend requires will be found in the following statement:—Applications made to the Local Government Board under Section 8 of the Motor Car Act, 1903, for regulations prohibiting or restricting motor-car traffic on certain roads.

(Note.—Regulations under this section can only be made in respect of a highway which does not exceed 16 ft. in width, or on which ordinary motor-car traffic would, in the opinion of the Board, be especially dangerous.)

Part I.

Cases in which applications for regulations have been refused.

Wiltshire County Council. Crab Lane. Proposed prohibition.

> Between sixty and seventy notices of objection to the proposed closing of the road to motor-cars were received, and the Board's Inspector

reported that it was not so exceptionally dangerous as to justify its being closed. The Board suggested that the case would seem to be one in which it would be of service if notice boards were erected at points where special care was required.

Winchester Town Council. Worthy Lane. Proposed prohibition.

The inspector reported that ordinary motor-car traffic on the road in question could not be regarded as especially dangerous. The lane is nearly straight.

Winchester Town Council. Worthy Lane. Proposed speed-limit (six miles per hour).

The evidence of witnesses at the inquiry was generally to the effect that a low speed-limit would not be of service. In this view the inspector concurred.

Whitehaven Town Council. Two roads. Proposed prohibition.

The evidence tended to show that the roads were hardly ever used for motor traffic. Under all the circumstances the Board did not consider that the conditions then existing called for a regulation.

Maidenhead Town Council. Parts of High Street. Prohibition of heavy motor-cars during certain hours.

The circumstances did not appear to the Board to bring the case within the scope of Section 8 of the Motor Car Act, 1903.

Part II.

A. Applications formally withdrawn.

Cumberland County Council. Part of road, Ambleside to Keswick. Proposed prohibition.

The application was made at the instance of the Keswick Urban District Council, who afterwards rescinded their resolution in the matter. The application was accordingly withdrawn by the county council.

Holland County Council. Two roads. Proposed prohibition.

The application was withdrawn by the county council after consideration of the objections of certain residents.

Isle of Ely County Council. Certain highways. Proposed prohibition.

No reason was given for the withdrawal. A memorial signed by forty-nine persons had, however, been presented in opposition to the application.

Kesteven County Council. Post Office Street, Ruskington. Proposed prohibition.

The application was made at the instance of the Ruskington Urban District Council, who afterwards resolved to withdraw the application. The county council then informed the Board that they did not propose to proceed further in the matter.

Newport (I.W.) Town Council. Certain streets. Proposed restriction six miles per hour.

After consideration of the objections raised by various persons and bodies the town council resolved to withdraw the application, and to rely upon the enforcement of Section 1 (1).

B. Applications allowed to fall into abeyance.

Radnor County Council. Certain highways. Proposed prohibition and restriction six miles per hour.

After some correspondence between the Board and the county council the latter intimated that they were unable to proceed with the application.

Yorks, W.R., County Council. Quaker Lane, Richmond. Proposed prohibition.

On consideration of objections raised by various persons and bodies the county council asked the Board to postpone action, and then allowed the matter to drop.

Anglesey County Council. Certain highways. Proposed prohibition and restriction 7–12 miles per hour.

The Board asked for maps and particulars, but the county council let the matter drop.

Devon County Council. Bude Street, Appledore. Proposed prohibition.

The Board asked for the observations of the county council upon certain objections which had been made to the proposal. These have not been supplied to the Board, and the proposal appears to have dropped.

Bradford Town Council. All highways in the borough. Proposed restriction, eight miles per hour.

The county council asked Board to postpone action for six months, and then allowed the matter to drop.

Huddersfield Town Council. The roads within a certain radius. Proposed restriction, seven miles per hour. And—

Wallsend Town Council. Certain roads. Proposed restriction, six miles per hour.

In both these cases the applications aroused objections, and the proposals were allowed to drop.

Messrs. Peacock, of Wandsworth, and Admiralty Contracts.

MR. W. T. WILSON: To ask the First Lord of the Admiralty whether he is aware that the firm of Messrs. Peacock, of Wandsworth, who are supplying joinery work to the Greenwich Hospital estate and who are contractors to the Admiralty, employ a very large amount of boy labour, do a great deal of their work by the piece, which is contrary to the rules signed by the master carpenters and joiners of London and the operatives, and that the firm absolutely refuses to conform to the said rules; whether he will take steps to induce this firm to comply with the rules agreed to and signed by employers and employees; and, failing which, whether he will remove this firm from the list of Admiralty contractors.

(*Answered by Mr. McKenna.*) The Admiralty have no information on the particular points mentioned in the hon. Member's Question. The contract with Messrs. Peacock contains the usual clause as to the payment of current wages, and no complaint of infringement has been made. If any specific complaint is made it will be investigated in the usual manner.

Dr. Churchward's Steel and Armour-plate making Process.

MR. BOWLES: To ask the First Lord of the Admiralty whether his attention has been called to the recent purchase by the United States Government of the patent rights in that country of Dr. Churchward's steel and armour-plate making process; whether any inquiries have been made by the Admiralty into the merits of this process; and, if so, with what result.

(*Answered by Mr. McKenna.*) The Answer to both parts of the Question is in the negative. I shall be glad to have all such information on the subject as the hon. Member can afford me.

Valuation of Licensed Premises.

MR. BARNARD (Kidderminster): To ask the Secretary to the Treasury whether Schedule A valuation of all licences on the border-line between one group and another have been raised into the next group, such as 49 under 50 into 51 under 100; whether these alterations have been made since the passing of the Finance Act introduced by the present Prime Minister; whether this has been done pursuant to a direction issued by the Inland Revenue Commissioners to the Surveyor of Taxes; and whether he will lay the instructions upon the Table of the House, together with a statement showing the increase in revenue that has accrued from such heightening of the Schedule A valuation both in respect of Licence Duty and in respect of Compensation Levy.

(*Answered by Mr. Hobhouse.*) I am not aware of any alterations in the Income-Tax Schedule A valuations of licensed premises, such as those indicated in my hon. friend's Question, since the passing of the Finance Act referred to. No directions have been issued to Surveyors of Taxes in the matter.

Age Retirement in the Customs and Inland Revenue Service.

MR. SEARS (Cheltenham): To ask Mr. Chancellor of the Exchequer in reference to the recent orders of the Boards of Customs and Inland Revenue reducing, from the 1st April next, the age-limit of retirement from these services to sixty-one in place of the present limits of sixty-five in the Customs and sixty-two in the Inland Revenue, if he will state the necessity for adopting this step at the present time; and whether it is taken with the object of reducing the establishments concerned.

MR. SEARS: To ask Mr. Chancellor of the Exchequer if he will state the number in each grade affected by the orders of the Boards of Customs and Inland Revenue reducing the age of retirement to sixty-one; whether he is aware that disappointment and feeling exist, especially in the Customs, because of the short notice given of this change, involving the hardships of several years reduced incomes and the dislocation of private arrangements and liabilities entered into on the faith of existing departmental regulations; and will he cause inquiry to be made with the view of modifying the feeling on the part of officials that the action taken implies a want of reasonable consideration for the interests of the men affected.

(*Answered by Mr. Lloyd-George.*) The general orders referred to give notice that after the close of the current financial year officers may be required to retire on attaining the ages mentioned. No decision can be reached at the present time as to the future needs of the public service with regard to the establishments in question.

Market Value of Public Houses.

MR. WALTER LONG (Dublin, S.): To ask Mr. Chancellor of the Exchequer on what basis, and by what calculations, the Estate Duty Department of the Inland Revenue arrives at the market value of public-houses in calculating the duty payable upon the estates of deceased owners of large numbers of public-houses; does the Department institute a local inquiry into the market value of each particular public-house owned by a deceased brewer; or what is the method pursued.

(*Answered by Mr. Lloyd-George.*) The Department does not necessarily institute a local inquiry into the market value of each particular public-house owned by a deceased brewer; but adopts such methods of testing the values offered in each particular estate as seem to be required.

Delay in Sale of the Estate of the late Richard Davoren.

MR. J. P. FARRELL (Longford, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state whether any agreements to purchase their farms at Killasormagh, North Longford, from the representatives of the late Richard Davoren, have been lodged on behalf of the tenants with the Estates Commissioners; if so, what is the cause of the delay in having this estate inspected as promised; whether any offer has been made under the sixth section for the purchase of the untenanted portion, a promise to divide which was given to the tenants when signing their agreements; and, if nothing has yet been done, will an inspection be now ordered.

(*Answered by Mr. Birrell.*) No purchase agreements have been lodged with the Estates Commissioners in this case. The estate is pending for sale to the Commissioners under Section 6 of the Irish Land Act, 1903. It has been inspected, and the Estate Commissioners expect to be in a position to make an offer at an early date.

Sale of the Estate of M. A. Kernan at Ballynulty.

MR. J. P. FARRELL: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether any reply has yet been received from Mr. J. H. Dopping, as to a sale to the tenants of the M. A. Kernan Estate, in the townland of Ballynulty, North Longford; and, if not, whether the Commissioners propose to communicate direct with the owner.

(*Answered by Mr. Birrell.*) The Estates Commissioners have no information as to any negotiations for the sale of this estate which may be pending between the landlord and his tenants, and they do not propose to communicate with the landlord.

Reinstatement of Thomas Brady of Culleenmore.

MR. J. P. FARRELL: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether any steps have yet been taken by the Estates Commissioners to reinstate Thomas Brady in his farm at Culleenmore, North Longford, on the White estate, portion of which is in the occupation of a planter named Bodell; will he state what was the report of the inspector who inquired into the case; and when action will be taken on that report.

(*Answered by Mr. Birrell.*) The Estates Commissioners have inquired into the application for reinstatement of Thomas Brady, who resides in New York. The holding at one time occupied by him has been purchased by the present occupier under the Land Purchase Acts, and the Commissioners cannot take any further action in the matter.

The Case of Thomas Duffy of Legga.

Mr. J. P. FARRELL: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether any inquiry was ever made, as promised by the late Chief Secretary, into the complaint of Thomas Duffy of Legga, North Longford, into a complaint that he had been deprived of one acre of land, his turbary, and an annual payment of £3 1s. 10d., in respect of a passway, by the agreement he was induced to sign in connection with the sale of the Maconchy estate, thus leaving him paying an annuity of £12 6s. now instead of an old rent of £10 16s. 2d.; whether any inspection ever took place on this property; and, if not, will one be now ordered.

(*Answered by Mr. Birrell.*) The case of Thomas Duffy was inquired into by the Estates Commissioners, his holding was visited, and the boundaries were found correct. The holding has been vested in Duffy. The Estates Commissioners can take no further steps in the matter.

Evicted Tenants—Case of Mrs. Helena Cunningham.

Mr. WILLIAM ABRAHAM (Cork County, N.E.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state whether the Estates Commissioners will direct one of their inspectors to inquire into the case of Mrs. Helena Cunningham, who was evicted from her holding at Kilmacow, Curraglass, county Cork, on the Devonshire estate, in 1887.

(*Answered by Mr. Birrell.*) The Estates Commissioners have not received any application for reinstatement in this case.

Compulsory Notification of Infectious Diseases in Ireland.

Sir W. J. COLLINS (St. Pancras, W.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland how many out of the total number of local sanitary authorities in Ireland have adopted the Compulsory Notification of Infectious Diseases Act; and what proportion of the population such authorities represent.

(*Answered by Mr. Birrell.*) Two hundred and twenty-five out of 308 sanitary authorities in Ireland, representing 76·9 per cent. of the population, have adopted the Infectious Disease Notification Act.

QUESTIONS IN THE HOUSE.

Rosyth.

Mr. ARTHUR LEE (Hampshire, Fareham): I beg to ask the First Lord of the Admiralty if he will state the terms of the bonus which is to be offered to the Rosyth contractor for the earlier completion of the work.

The FIRST LORD of the ADMIRALTY (Mr. McKenna, Monmouthshire, N.): The bonus is £800 per week.

Mr. ARTHUR LEE: May I ask whether any limit has been placed upon the amount which the contractors can earn by expediting the work?

Mr. McKENNA: I do not think so, but I will look up the point.

Status of Battleships.

Mr. BELLAIRS (Lynn Regis): I beg to ask the First Lord of the Admiralty whether he is aware that the "Blake" and the "Blenheim," as now converted to mother-ships for destroyers, have had their armaments cut down from two 9·2-inch guns and ten 6-inch guns each to only four 6-inch guns, so that the weight of projectiles fired in one round from the whole of their guns is now only 400 lbs. as compared with 1,760 lbs. with the former armament, and the coal supply for ship use has been cut down from 1,500 tons to 670 tons; and whether he proposes to reclassify these ships which still appear in the only Annual Return furnished to Parliament and in the Navy List for the current month as first-class cruisers.

Mr. McKENNA: I have nothing to add to my previous statement, except that the question of classification will be considered as usual when the Dilke Return for next year is prepared.

*Mr. BELLAIRS: Was not the inclusion of these battleships in the Dilke Return the subject of a protest from both sides in this House last year?

Mr. McKENNA: I regret to say I am not aware of the circumstances.

Mr. ARTHUR LEE: Cannot a reclassification of the ships be carried out, so far as the Navy List is concerned?

Mr. McKENNA: I do not think the Navy List is so much the authority on that point as the Dilke Return.

Mr. ARTHUR LEE: Is the Navy List no authority?

Mr. McKENNA: Oh, yes; but on this point of comparison with other countries the Dilke Return is the authority. The point will be borne in mind when the Dilke Return comes up next year for reconsideration.

Mr. BELLAIRS: I beg to ask the First Lord of the Admiralty whether the work of converting the cruiser "St. George" into a mother-ship for destroyers has been commenced; whether her armament is being cut down from two 9·2-inch and ten 6-inch guns to only four 6-inch guns, so that the weight of projectiles fired in a single round is diminished from 1,760 lbs. to less than one-fourth, or 400 lbs.; and, if so, whether he will cease to allow this vessel to appear in official classifications as a first-class cruiser.

Mr. McKENNA: No work has been commenced on the "St. George."

Mr. BELLAIRS: I beg to ask the First Lord of the Admiralty whether he is aware that in an official statement where no question of naval strength is involved the so-called first-class cruisers "Blake," "Blenheim," and "St. George," were classified under their proper designation as miscellaneous vessels and not in the list of first-class cruisers; and why, under these circumstances, in official statements of naval strength on which Parliament is bound to rely, these ships are classed as first-class cruisers.

Mr. McKENNA: I am unable to trace the official statement referred to; perhaps my hon. friend will inform me what it is?

Mr. BELLAIRS: Is the right hon. Gentleman aware that the official statement referred to is the Memorandum issued by his predecessor this year?

Mr. McKENNA: I was unable to trace the document referred to in the Question in the Office.

Nucleus Crews.

Mr. T. F. RICHARDS (Wolverhampton, W.): I beg to ask the First Lord of the Admiralty whether the experience of the Board of Admiralty has been such as to demonstrate the inadequacy of nucleus crews for the proper maintenance of His Majesty's ships; and whether it is the general rule to supply vermin powder, etc., for the use of ships undergoing repair.

Mr. McKENNA: The Answer to both parts of the hon. Member's Question is in the negative. As a rule, the powder is only supplied when required.

H.M.S. "Diadem."

Mr. C. DUNCAN (Barrow-in-Furness): I beg to ask the First Lord of the Admiralty whether he is aware that H.M.S. "Diadem," at present under repair in His Majesty's dockyard at Chatham, is in such a dirty, verminous, and generally insanitary condition as to be detrimental to the health of the workmen employed thereon; whether he is aware that a shipwright recently employed below decks on this ship has lately died from enteric fever contracted in the course of such employment; whether any application has been made by the widow for compensation for the loss of her husband; and whether any, and what, steps are being taken to prevent a recurrence of such cases.

Mr. McKENNA: The statement as to the condition of the "Diadem" has proved upon inquiry to be without foundation. A shipwright recently employed on this ship has lately died from enteric fever, but there is no evidence that the disease in question was contracted on duty. An application has been made by the widow for a compassionate allowance, and this is now receiving attention.

MR. C. DUNCAN: Was the inquiry made only after the Question had been handed in in this House?

MR. McKENNA: The report on the matter is dated 29th October. It says no complaints had been received from any dockyard official or workman employed on board.

MR. C. DUNCAN: My Question was handed in on the 28th.

Battleship Repairs.

MR. MITCHELL-THOMSON (Lanarkshire, N.W.): I beg to ask the First Lord of the Admiralty whether the supersession of the memoranda regulating the absence on repairs of battleships from the Channel Fleet applies also to the case of cruisers; and what is the numerical limit, if any, which in the opinion of the Admiralty should be set upon the absence simultaneously of cruisers from the Channel Fleet.

MR. McKENNA: The reply to the first part of the hon. Member's Question is in the affirmative. No numerical limit has been fixed.

MR. MITCHELL-THOMSON: I beg to ask the First Lord of the Admiralty whether, in view of the fact that the memoranda regulating the absence of battleships for repairs from the Channel Fleet are now announced to be superseded, the Admiralty propose to prescribe any limitation in the number of battleships which may be so absent simultaneously; and, if so, what is that numerical limitation.

MR. McKENNA: The reply to the first part of the hon. Member's Question is in the negative.

Naval Gun Reserves.

MR. DU CROS (Hastings): I beg to ask the First Lord of the Admiralty whether, in view of the fact that in the British Navy only one gun is held in reserve for every four guns afloat while in other navies two guns are held in reserve for every four afloat, the Government will take steps to give us a reserve of guns equal to that of other countries.

MR. McKENNA: It is not considered desirable in the public interest to make any statement regarding the reserves of naval guns.

MR. DU CROS: Does the right hon. Gentleman question the accuracy of the statements?

MR. McKENNA: I neither question nor admit their accuracy. I must decline to make any statement.

Preliminary Cost of the Special Reservist.

MR. ARTHUR LEE: I beg to ask the Secretary of State for War what is the average total cost to the State of a Special Reservist from the date of his enlistment until the conclusion of his six months preliminary training.

THE SECRETARY OF STATE FOR WAR (Mr. HALDANE, Haddington): The average total cost of an Infantry Special Reservist, from the date of his enlistment to the end of his six months recruit drill, is £27 19s. 6d., including his clothing outfit and the bounty of £1 10s. payable on the termination of six months drill.

The Unemployed and the Special Reserve.

MR. ARTHUR LEE: I beg to ask the Secretary of State for War whether it is in his power, by administrative order and without fresh legislation, to revise the conditions of enlistment in the Special Reserve; and, if so, will he consider the advisability, in the interests of the State, of raising the purchase price of a discharge from £3 to a figure which would recoup the Exchequer for the expenditure uselessly incurred in training, clothing, and supporting for six months men who only join the Reserve in order to tide over a period of temporary unemployment, and with the intention of cancelling their liability to further service at the earliest opportunity.

Mr. HALDANE: There is at present no evidence that any appreciable number of men join with the intention which the hon. Member suggests. He may rest assured that if experience proves that the question arises, it will be fully considered. The figure of £3 is not statutory.

Mr. ARTHUR LEE: But did not the right hon. Gentleman hold out special inducements to the unemployed who wished to tide over the winter to join the Special Reserve?

Mr. HALDANE: Certainly not, unless they were fit men.

Mr. ARTHUR LEE: Did you not suggest that these men should take employment over the winter, and then have no further liability?

Mr. HALDANE: No, on the contrary, the further liability was carefully set out.

The Service Rifle.

Mr. CARLILE (Hertfordshire, St. Albans): I beg to ask the Secretary of State for War whether he is instituting any inquires into the question of increasing the flatness of the trajectory of the service rifle.

Mr. HALDANE: Yes, Sir. These inquiries have been going on for some time.

Mr. CARLILE: Shall we have the result of the inquiries shortly?

Mr. HALDANE: I should not like to say that.

Lee-Enfield Rifle.

Mr. CARLILE: I beg to ask the Secretary of State for War what number of rounds can be fired from the Lee-Enfield rifle before the bullets lose 100 feet in velocity.

Mr. HALDANE: The number varies with each barrel, but the average may be taken at 2,500 rounds. In some barrels as many as 5,000 rounds have been fired before the velocity dropped 100 feet, and in others it dropped after 2,000 rounds.

Service Rifle and Ross Rifle.

Mr. CARLILE: I beg to ask the Secretary of State for War whether he can furnish the House with a detailed analysis of the relative merits of the service rifle and the Ross rifle.

Mr. HALDANE: The merits and demerits of these rifles are matters of opinion, and I cannot undertake to discuss them within the limits of a reply to a Question.

Mr. CARLILE: Will the right hon. Gentleman lay on the Table the results of the inquiry into this matter?

Mr. HALDANE: I think I had better not. We have had to consider the merits of many rifles, including the Ross rifle, and I do not think it would be in the public interest to enter into details with regard to any individual rifle.

Employment for Discharged Soldiers.

Mr. GUY BARING (Winchester): I beg to ask the Secretary of State for War how many men will be returning from abroad during the coming trooping season for discharge or transfer to the Army Reserve; what steps will be taken to assist these men in finding employment; and whether he will consider the advisability of giving them the option of being attached to their home battalions till they find employment or till the close of the winter.

Mr. HALDANE: It is not possible to give the figures asked for without reference to all the record offices, and the compilation would involve considerable clerical labour. A number of those brought home from abroad do not complete their colour service for periods of three, four, or five months. All who are within two months of the expiration of their colour service are given furloughs on full pay with ration allowance, and thus are enabled to look for work. The remainder, as a matter of course, are allotted to home units. The suggestion of the hon. Member to allow men who had completed their service to remain with the colours would involve an increase of the British Establishment.

Promotion of Officers.

MR. GUY BARING: I beg to ask the Secretary of State for War whether he will undertake that the promotion of officers in Regular battalions shall not be blocked by the temporary appointment of officers from the Special Reserve.

MR. HALDANE: It is only proposed to make such appointments on a small scale, and it is not anticipated that they will have any appreciable effect on promotion.

MR. GUY BARING: But will not that involve the blocking of promotion? How can it be avoided?

MR. HALDANE: We have satisfied ourselves that it will not lead to the difficulty the hon. Member fears.

Defence of the Landward Forts.

*MR. ARNOLD-FORSTER (Croydon): I beg to ask the Secretary of State for War whether any, and, if so, what portion of the Territorial Force has been told off for the defence of the landward forts which formerly protected the dockyards at Portsmouth, Devonport, and Chatham; whether the troops so detailed comprise a force of Garrison Artillery and what is the strength of the Garrison Artillery to be employed; and whether he can state in what way the troops assigned to the defence of the forts are to perform their duty, now that the whole of the guns and ammunition have been removed from the forts.

MR. HALDANE: I am unable to furnish this information; the right hon. Gentleman must be aware that it is neither customary nor to the public interest to publish detailed information in regard to the works, armaments and garrisons of defended ports or fortresses at home or abroad.

*MR. ARNOLD-FORSTER: Is there any force of Garrison Artillery told off for the defence of those forts which possess no artillery?

MR. HALDANE: I have said it is inexpedient to answer such a Question.

*MR. ARNOLD-FORSTER: But are not all the units warned beforehand what is expected of them?

MR. HALDANE: Certainly.

MR. ARNOLD-FORSTER: Then why refuse the information to the House?

[No Answer was audible.]

The German Emperor and the Boer War.

MR. WILLIAM REDMOND (Clare, E.): I beg to ask the Secretary of State for War if a plan of campaign for ending the Boer War, upon which Lord Roberts practically acted, was received from the German Emperor; and, if so, whether he will lay the document upon the Table of the House.

MR. HALDANE: The War Office archives do not contain any such document as the hon. Member refers to, nor is there any record of its having come into the possession of anyone connected with the War Office; I am, therefore, unable to comply with the request of the hon. Member to lay the document upon the Table.

MR. WILLIAM REDMOND: In view of the great interest taken in this question will the right hon. Gentleman be good enough to inquire whether such a document is in the country and in any other charge than that of the War Office?

MR. HALDANE: I have enough responsibility at the War Office, and I should be sorry to go outside my own Department.

MR. WILLIAM REDMOND: Can the right hon. Gentleman state whether there is such a document in existence within his knowledge; in view of what has occurred, will he suggest to the Prime Minister that it would be easier, and, indeed, more regular, to offer the Kaiser a seat in the Cabinet?

*MR. SPEAKER: Order, order.

Third Battalion Suffolk Regiment.

MR. PIKE PEASE (Darlington): I beg to ask the Secretary of State for

War why the Special Reservists of the 3rd Battalion Suffolk Regiment were only trained for twenty days, from Monday, 11th May, to Saturday, 30th May; why they were only given twenty days' pay, although they had been engaged for twenty-one days' training; and whether the Special Reservists of other battalions were treated in the same way.

Mr. HALDANE: The training of a certain number of Special Reserve units was arranged this year from a Monday to the following Saturday fortnight in order to avoid the necessity of dismissing the men on a Sunday. As this involved only twenty days' training it was not possible to allow more than twenty days' pay. I cannot find that any guarantee of twenty-one days' pay was given. There were other cases similar to that of the unit referred to by the hon. Member. He will notice that no diminution of the number of week days actually devoted to training is involved, but I will consider whether it will not be possible to arrange in future that the full twenty-one days' training and pay shall be given.

Mr. PIKE PEASE: Seeing that this is a very small matter, will not the right hon. Gentleman consider the case of these men?

Mr. HALDANE: I have said I will consider the question.

Mr. PIKE PEASE: But will these men get the extra day's pay?

Mr. HALDANE was understood to reply in the negative.

Barrack Accommodation for Married Soldiers in Ireland.

Mr. ASHLEY (Lancashire, Blackpool): I beg to ask the Secretary of State for War whether any steps are being taken to provide better accommodation in barracks or outside for the 150 married couples living in single-room married quarters in Ireland.

Mr. HALDANE: Steps are being taken to improve the accommodation for married soldiers in Ireland. New quarters are being built to replace the existing single-room quarters.

Mr. ASHLEY: How long is the present disgraceful condition of affairs, which involves a married man and his family living in one room, to be allowed by the State to continue?

Mr. HALDANE: I am sorry to say it has continued for a very long time, but I am doing everything I can to abolish it.

Mr. GUY BARING: Will the right hon. Gentleman do the same thing for Londonderry?

Mr. SLOAN (Belfast, S.): Can the right hon. Gentleman say when he hopes to be able to abolish the present system?

Mr. HALDANE: I am doing it as quickly as I can.

Officers of the Special Reserve.

Mr. ASHLEY: I beg to ask the Secretary of State for War whether in view of the fact that only twelve subalterns not already serving in the Militia six months ago have been appointed to the Special Reserve of officers during the last six months, he will state what steps he propoes to take to remedy the shortage which exists.

Mr. HALDANE: The Regulations for the Special Reserve of officers have only just been approved and will shortly be published. It is hoped that when they are circulated and the terms of service are thereby made known that the vacancies will gradually be filled.

Mr. ASHLEY asked if the right hon. Gentleman was aware of the difficulty of going into training at the period when these gentlemen were going up for their Oxford or Cambridge examinations?

Mr. HALDANE replied in the affirmative.

Mr. ASHLEY: I beg to ask the Secretary of State for War whether he will consider the expediency of doing away with the practice of gazetting officers on probation to the Special Reserve, in view of the shortage of 1,595 subalterns in that force.

MR. HALDANE: As I have already explained to the House, the conditions of entry into the Special Reserve of officers are already as low as the General Staff, having regard to efficiency, consider expedient. It is hoped that the publication of the Regulations will have the desired effect of gradually filling up the vancancies.

Service Rifle and High Velocity Bullets.

MR. GUY WILSON (Hull): I beg to ask the Secretary of State for War whether, during the two years the small arms committee have been endeavouring to find a suitable high velocity bullet for the present service rifle, they have experimented with any of the ·303 high velocity bullets and cartridges already in existence.

MR. HALDANE: The reply is in the affirmative.

Dockyard Defence.

MR. ARNOLD-FORSTER: I beg to ask the Secretary of State for War whether, in the opinion of the Army Council, a hostile landing in the neighbourhood of Chatham, Portsmouth, or Devonport is a contingency which must be contemplated and provided against; whether, in the opinion of the Army Council, the danger to our great dockyards likely to result from such a landing has been diminished or increased by the removal of the whole of the guns and ammunition from the land defences of the ports in question; and whether any other Power which contemplates the landing of troops upon its shores has added to the strength of its defences by removing their armaments.

MR. HALDANE: The present policy in regard to the landward defences of our naval ports was deliberately adopted after full consideration by the Government in power in 1900. The present Government does not propose in this respect to depart from the decision of its predecessors. It concurs in the policy adopted in 1900 and followed by every Secretary of State since then. The defence of our principal naval ports has been greatly strengthened by the substitution of modern movable armament for the obsolete guns which were discarded as a result of the Report of Sir Robert Grant's Committee in 1900.

MR. ARNOLD-FORSTER: May I infer that no question of invasion is anticipated by the present Government?

MR. HALDANE: Nothing of the sort.

Artillery Ranges on Salisbury Plain.

*MR. COURTHOPE (Sussex, Rye): I beg to ask the Secretary of State for War at what date the agricultural tenants of the land on Salisbury Plain which the War Office intends to purchase for artillery ranges will be required to quit their holdings; and whether the two years' notice to quit which is customary in this district has been given.

MR. HALDANE: The land will be required for military purposes for the training season of 1910, *i.e.*, early in June of that year. The War Office has no information as to the alleged custom mentioned, but, of course, custom having legal validity will be observed.

*MR. COURTHOPE: Is the right hon. Gentleman aware that these tenants will not be able to gather in their 1910 crops?

MR. WALTER LONG (Dublin, S.) asked how it was proposed to arrange for the tenants on these lands to gather their crops and to deal with their holdings, 29th September being passed, and no notice having been given?

MR. HALDANE said the tenants knew the land would be required. It would not be required till 1910, and he presumed they would make their arrangements accordingly.

MR. ARTHUR LEE wished to know if there would be no range available for the Territorial Artillery in the South of England until 1910.

MR. HALDANE replied that no such inference could be drawn from what he had said.

*MR. COURTHOPE: Will not these people be given a full year's notice?

MR. HALDANE: The land is not required till 1910.

*MR. COURTHOPE: Was notice given before Michaelmas this year?

MR. HALDANE: The hon. Member overlooks the fact the land is not required till 1910.

*MR. COURTHOPE: But tenancies run from Michaelmas to Michaelmas, and as the land is required in June, 1910, notice should have been given before last Michaelmas.

*MR. COURTHOPE: I beg to ask the Secretary of State for War, in view of his decision to give no compensation for disturbance to the tenant farmers about to be disturbed on Salisbury Plain, and of the fact that the simultaneous disturbance of so large a number in the same locality will render it impossible for them to dispose profitably of their produce and live or dead stock, whether the War Office will take over at valuation the produce and live or dead stock of any such tenant who desires to dispose of it in this way.

MR. HALDANE: We hope that the arrangements which have been made for leaving the tenants in occupation until the beginning of June, 1910, will give them ample time to dispose of their stock. I cannot give any such general and far-reaching undertaking as that suggested by the hon. Member.

*MR. COURTHOPE: Does the right hon. Gentleman think it right that the War Office should treat these tenants less favourably than the Government compels private owners to treat their tenants?

MR. HALDANE: Negotiations are going on with the tenants.

*MR. COURTHOPE: I beg to ask the Secretary of State for War whether the proposed purchase of land on Salisbury Plain will involve the division of any properties; and, if so, whether the War Office will undertake to purchase the whole of any such property, if the owner desires, or will pay compensation for the loss of amenities and dimunition of value which the division of such properties involves.

MR. HALDANE: It is probable that the purchase will involve the division of some properties. In cases, such as the present, when the purchase is by agreement the owners may be trusted to look after themselves. An owner in agreeing a price always takes into consideration matters such as damage by severance, loss of amenity, etc. When the purchase is by compulsion these items are included in the compensation.

*MR. COURTHOPE: Are we to understand there is no compulsion in this case?

MR. HALDANE: I hope there will be none.

Pointed Bullets at the Olympic Competitions.

*MR. COURTHOPE: I beg to ask the Secretary of State for War on what grounds the Commandant of the School of Musketry prohibited the use of pointed bullets by the School of Musketry shooting team which represented Great Britain in the recent international Olympic competition at 300 metres.

MR. HALDANE: By the King's Regulations only ammunition of Government pattern, and provided by Government, is allowed to be used in Government rifles. As the pointed bullet has not yet been adopted there is no Government supply of ammunition with such bullet which could be used.

*MR. COURTHOPE: Is the right hon. Gentleman aware that the British team that took part in the other international competition did use pointed ammunition in the Service rifle with safety and success?

MR. HALDANE: It may be so.

The Unemployed and the Special Reserve.

MR. ASHLEY: I beg to ask the Secretary of State for War whether it is his intention to bring in Supplementary Estimates to meet the expense caused by training those unemployed in the Special Reserve.

MR. HALDANE: I do not anticipate that any necessity for a Supplementary Estimate will arise.

MR. ASHLEY: Then can the right hon. Gentleman inform the House what special help the unemployed will get?

*MR. SPEAKER: That is an argumentative Question.

Army Horses.

MR. ASHLEY: I beg to ask the Secretary of State for War what steps, if any, he is taking to increase the numbers of horses in the United Kingdom suitable for Army purposes.

MR. HALDANE: As I explained to the hon. Member last Monday, I am not in a position to give him any further information in regard to the provision of suitable horses for the Army. The matter is engaging my close attention.

Cost of Cordite.

MR. CROOKS (Woolwich): I beg to ask the Secretary of State for War whether a large order for the supply of cordite has been placed with the outside trade, notwithstanding the fact that the ordnance factory's price was estimated at 1s. 3½d. per pound as compared to 1s. 9¼d. per pound of the outside trade; and will he give the House the quantity so ordered at this price.

MR. HALDANE: The only order placed by the War Office with the trade was a very small one at the beginning of the year.

MR. CROOKS: Can we have the exact amount?

MR. HALDANE: I cannot say at this moment, but I think about 30,000 lbs.

*MR. BELLAIRS: The right hon. Gentleman, I understand, refuses to disclose contract prices, but does he agree with the figures given in the Question? Are they not quite inaccurate?

MR. HALDANE: I cannot disclose contract prices.

MR. CROOKS: But the figures have been published in the Press.

MR. HALDANE: I am speaking of War Office Orders. I think the hon. Member is alluding to Admiralty Orders.

*MR. BELLAIRS: If the right hon. Gentleman lays down the principle that contracts should be given to the ordnance factory if its price is lower than that of the outside tenderer, will he carry that principle still further and give work to the trade, which tendered for 4-inch guns at over 50 per cent. lower than the cost at Woolwich?

[No reply was audible.]

The Royal Laboratory.

MR. CROOKS: I beg to ask the Secretary of State for War whether an order in the Royal Laboratory has been suspended to enable the transfer of men to the Royal Carriage and Gun Factory; and will he, having regard to the state of unemployment, arrange for men to be taken on to complete the orders within the specified time, or does he intend to place the Royal Laboratory Order with the outside trade.

MR. HALDANE: The men who were temporarily transferred from the Royal Gun and Carriage Factory to the Royal Laboratory are being sent back to the former factory as work can be found for them there. The Royal Laboratory is above the approved establishment, and must therefore be gradually reduced by wastage. Any work that cannot be done by the existing staff must be placed with the trade, which has had a very small proportion of the work for the Army this year.

MR. CROOKS: Is it a fact that there are 4,000,000 rounds of ammunition less in store this year?

MR. HALDANE: I have no knowledge of it.

MR. CROOKS: I will put the Question down.

Fort Carlisle.

Mr. LONSDALE (Armagh, Mid): I beg to ask the Secretary of State for War whether he has received Reports of an attempt to burn Fort Carlisle at the entrance to Cork Harbour; and whether any investigation has taken place into the occurrence and with what result.

Mr. HALDANE: No Report has so far been received in the War Office.

Captain DONELAN (Cork, E.): Does any suspicion attach to any civilian or any person outside the fort?

Mr. HALDANE: I have no knowledge of the facts.

Political Prisoners in India.

Dr. RUTHERFORD (Middlesex, Brentford): I beg to ask the Prime Minister whether His Majesty's Government will recommend His Majesty the King to declare an amnesty for political prisoners in India, with a view to allaying the widespread and growing discontent and of affording any reform scheme a better chance of success.

The UNDER-SECRETARY of STATE for INDIA (Mr. Buchanan, Perthshire, E.): As the hon. Member will see from His Majesty's gracious message which the Viceroy has delivered to-day, remissions and reductions of sentences have been ordered. Political prisoners will not be treated in any way as a special class.

Ceylon Prisons—Mortality Statistics.

Sir H. COTTON (Nottingham, E.): I beg to ask the Under-Secretary of State for the Colonies whether he can state what was the percentage of mortality among prisoners in Ceylon prisons during the year 1907.

The UNDER-SECRETARY of STATE for the COLONIES (Colonel Seely, Liverpool, Abercromby): The percentage per annum was 3·6.

*Sir H. COTTON: Nearly double the rate in Indian prisons, I think?

Colonel SEELY: It is not at all satisfactory, I admit.

Capital Punishment in Ceylon.

Sir H. COTTON: I beg to ask the Under-Secretary of State for the Colonies whether his attention has been drawn to the fact that, in the year 1907, fifty-nine men were sentenced to death in Ceylon and forty-four were hanged, and that this number exceeds that in the neighbouring province of Madras, in India, where the population is twelve times as great; and whether he will cause inquiry to be made into the prevalence of capital punishment in Ceylon.

Colonel SEELY: The subject to which my hon. friend refers is engaging the attention of the Secretary of State.

Flogging in Ceylon Gaols.

Sir H. COTTON: I beg to ask the Under-Secretary of State for the Colonies whether his attention has been drawn to the fact that in the year 1907 corporal punishment was inflicted on prisoners in Ceylon in 128 cases for breach of prison discipline and generally for working short task; and whether, having regard to the general diminution of corporal punishment in prisons in India, and in the United Kingdom, with the best results, he will cause inquiry to be made into the excessive prevalence of flogging in the Ceylon gaols.

Colonel SEELY: The number of cases of corporal punishment inflicted in Ceylon in 1907 for breaches of prison discipline was well below the average of the last five years. The increase over the figures for 1906 appears to be due to changes in the tasks required, and the figures for the second half of the year were more favourable than for the first half. The question of corporal punishment in Ceylon prisons was carefully inquired into less than three years ago, and the Colonial Government are fully aware of the desirability of limiting such punishment as far as is compatible with proper discipline. However, the Governor's attention will be called to the matter.

Capital Sentences on Children.

Sir H. COTTON: I beg to ask the Under-Secretary of State for the Colonies whether his attention has been drawn to a Ceylon case of one Kaitan, a boy of twelve years of age, who was sentenced to death in 1907, but whose sentence was commuted to one of twenty years rigorous imprisonment, and who has since been transferred to a reformatory with orders that his case is to be brought up for further consideration when he attains his eighteenth year; and whether he can see his way by legislation, or otherwise, to prohibit in future any sentence of capital punishment on a child of such tender years.

COLONEL SEELY: I am aware of the case to which my hon. friend refers, and the question of altering the law is being considered.

New Zealand and Natal Defence.

MR. LONSDALE: I beg to ask the Under-Secretary of State for the Colonies whether the attention of the Secretary of State has been called to the statement of Lord Plunket, at Wellington, on 26th September, that the New Zealand Government hoped yet to receive a favourable response to their request that the Home Government would co-operate to enable New Zealand to acquire a vessel for the purpose of giving young New Zealanders a naval training; and whether any steps are being taken by the Colonial Office to satisfy the desire of the Dominion Government.

COLONEL SEELY: The Secretary of State has seen the statement referred to, which was made, I understand, by the Prime Minister of New Zealand, and not by the Governor as at first reported. The Secretary of State is most anxious to facilitate the scheme proposed by the New Zealand Government, and is in communication with the Admiralty on the subject, but I regret that I cannot at present add anything to the Answer given by my right hon. friend the First Lord of the Admiralty in reply to similar Questions put by the hon. Gentleman on the 15th and 22nd of last month.

Deported Canadian Emigrants.

MR. CATHCART WASON (Orkney and Shetland): I beg to ask the Under-Secretary of State for the Colonies if his attention has been called to a case at the Old Street Police Court last week, when a person asked assistance from the poor-box alleging that he, with his wife and seven children, had been deported from Canada without any form of trial, that he had emigrated to Canada at considerable cost, and had found work there for two years; and will he take steps to bring the case under the consideration of the Canadian Government with the view of ascertaining the law relating to emigration to Canada.

COLONEL SEELY: I understand that the family in question were deported from Canada under the law which provides that whenever an immigrant has, within two years of his landing in Canada become a public charge, he may be deported. The Secretary of State is in communication with the Dominion Government on the question of this law, with a view to the prevention of hard cases arising under it, and inquiry will be made as regards the particular case referred to. I may add that the High Commissioner has been good enough to interest himself in this and other cases, and is in personal communication with me on the subject.

MR. KEIR HARDIE (Merthyr Tydvil): Under whose auspices was this family sent out to Canada?

COLONEL SEELY: I should like notice of that Question.

Taxation in Montserrat.

MR. ALDEN (Middlesex, Tottenham): I beg to ask the Under-Secretary of State for the Colonies if, in view of the fact that a heavy export duty was imposed about three years ago upon exports from the Island of Montserrat because the finances then showed a deficiency, he will favourably consider the removal of this impost in view of the large surplus which now exists.

COLONEL SEELY: The Governor has reported that nothing would give him greater pleasure than to recommend a reduction of taxation in Montserrat, but that the time for such a recommendation has not yet arrived. The surplus funds of the Presidency do not greatly exceed £5,000, and a reserve fund of £10,000 is aimed at as a measure of obvious prudence. I can only promise that the matter will not be lost sight of when a sufficient reserve has been built up.

Malta Legislative Council.

Mr. CURRAN (Durham, Jarrow): I beg to ask the Under-Secretary of State for the Colonies whether any reform in the composition of the Legislative Council of Malta is contemplated by His Majesty's Government; and, if so, can he state the nature of the reform.

Colonel SEELY: The matter is receiving the careful consideration of His Majesty's Government, but I am not in a position to make any statement at present.

British Cargo Vessels in the Suez Canal.

Mr. DU CROS: I beg to ask the Under-Secretary of State for the Colonies whether the proposal submitted to the last Colonial Conference by the Prime Minister of New Zealand, to the effect that British cargo vessels shall receive preferential treatment in the Suez Canal, or some remission of dues from the Government, has been further considered; and what action, if any, it is proposed to take.

Colonel SEELY: The matter is still being considered by His Majesty's Government, but I fear that there is no immediate probability of any special reduction being made in the dues.

The Persian Parliament.

Mr. HART-DAVIES (Hackney, N.): I beg to ask the Secretary of State for Foreign Affairs whether he has any information as to the convocation of the Persian Parliament.

The UNDER-SECRETARY of STATE for FOREIGN AFFAIRS (Mr. McKinnon Wood, Glasgow, St. Rollox): On 18th September the Persian Minister for Foreign Affairs informed His Majesty's *Charge d'Affaires* that the Shah hoped to issue a proclamation for convoking the Mejliss on 27th October, but that the Mejliss would not open until after the restoration of order in Tabriz. This Imperial Rescript was duly published, promising that an electoral law should be ready for proclamation on 27th October, and that a Mejliss should be convoked on 14th November. The electoral law has, however, not yet been published, and the question of making further representations on the subject is now under consideration by the two Governments, Russian and British.

Russians in the Persian Cossack Brigade.

Mr. HART-DAVIES: I beg to ask the Secretary of State for Foreign Affairs how many Russian officers are employed with the Persian Cossack brigade at Teheran.

Mr. McKINNON WOOD: In 1903 there were four Russian officers and five Russian non-commissioned officers with the Persian Cossack brigade. It has since been stated that the non-commissioned officers now number eight.

Mr. LYNCH (Yorkshire, W.R., Ripon): In view of the fact that we have joined the Government of Russia in guaranteeing the maintenance of the independence and integrity of Persia, and in view of the important part now being played by Russia, ought not the contract with the Persian Government——

*Mr. SPEAKER: Notice should be given of that Question.

Licensing Bill Amendments.

Mr. McARTHUR (Liverpool, Kirkdale): I beg to ask the Secretary of State for the Home Department what opportunity will be afforded for the consideration of Amendments needful to adapt the provisions of the Licensing Bill to the special requirements of passenger vessels, seeing there is no possibility of any time being available in the Committee stage for the discussion of Clause 34 or Schedule V.

The UNDER-SECRETARY of STATE for the HOME DEPARTMENT (Mr. Herbert Samuel, Yorkshire, Cleveland): My right hon. friend is considering the Amendments to Clause 34 and Schedule V. of the Licensing Bill, which have appeared on the Paper, with a view to deciding how far Government Amendments can be put down to meet the points raised therein.

Checkweighing Facilities for Workmen.

Mr. HODGE (Lancashire, Gorton): I beg to ask the Secretary of State for the Home Department if all the Departmental Committees of inquiry into the necessity and practicability of facilities being given to workmen for checking their product when paid their wages by ton measure or piece, or the appointment of checkweightmen for such purpose in the iron and steel trades, lime or cement works, quarries, and docks, have completed their labours and reported thereupon; if such Committees consisted of representative employers and workmen, representative neutrals, with a neutral chairman; and if such Reports as have been received are unanimous in their recommendations as to the justice and practicability of such checkweighing facilities being given, and when legislation giving effect to such recommendations may be expected.

Mr. HERBERT SAMUEL: Yes, Sir, the Departmental Committees on this subject, which were constituted in the manner stated in the Question, have completed their inquiries. The last of the Reports, that relating to docks, was laid on the Table of the House a few days ago. My right hon. friend is glad to be able to announce that in each case the Committees have reported in favour of giving the workmen the power of checking the weights or measurements on which their wages are based. He hopes to be able to introduce legislation to give effect to the recommendations of the Committee next session.

Escapes of Lunatics from Surrey Asylums.

Mr. CHIOZZA MONEY (Paddington, N.): I beg to ask the Secretary of State for the Home Department if he will state how many lunatics have escaped from the lunatic asylums of Epsom during the twelve months ended 30th September, 1908; how many of these escaped when being exercised in the public highways; how many of the escaped lunatics have been recaptured; and whether he is taking any steps to protect the public from lunatics wandering at large.

Mr. HERBERT SAMUEL: My right hon. friend is informed that twenty-nine patients in all escaped, two of them twice, from the three asylums in the nighbourhood of Epsom, and from the Ewell Epileptic Colony, during the twelve months ended 30th September last. Two of these escaped from walking parties outside the asylum grounds. Seven of the twenty-nine are still at large, but one of them was about to be discharged, and only anticipated his release by a short time. My right hon. friend is in communication with the Commissioners in Lunacy on the general question of lunatics escaping from asylums, and of their being exercised outside the asylum grounds, and also with the London Asylums Committee as regards the particular institutions which my hon. friend has in view. The great majority of the escapes are lunatics of a perfectly harmless type, but clearly every care should be taken to prevent escape, and after escape, to secure recapture.

Case of Elizabeth Morrice.

Mr. T. F. RICHARDS: I beg to ask the Secretary of State for the Home Department whether his attention has been called to a sentence of five years passed at the Middlesex Sessions by Sir R. Littler, upon a woman named Elizabeth Morrice, fifty-two years of age, for stealing 1d.; and whether he will say what action he proposes to take towards remitting some part of the punishment.

Mr. HERBERT SAMUEL: This woman has applied for leave to appeal against her sentence, and in the circumstances my right hon. friend cannot, of course, express any opinion upon the case.

Case of Charles Williams of Aberaman.

Mr. D. A. THOMAS (Merthyr Tydvil): I beg to ask the Secretary of State for the Home Department whether he has now considered the application made on behalf of Charles Williams, of Aberaman (who was convicted of assault by the justices at Aberdare Police Court on 26th August last), for his release and that an opportunity be offered him of having his appeal heard in due course upon its merits; if he is aware that Charles Williams took his approved surety to the police court at the time suggested by the police inspector, entered into the required recognisances as to bail, and was released; that upon the matter being called on at the Glamorgan Quarter Sessions on 22nd October proof of the notices of appeal and of the trial was given, and the clerk of the peace thereupon raised the objection that the recognisances had been entered into four days too late, and the Court then informed the appellant that they could not hear his appeal and he was sent to prison; that this technical objection was initiated by or emanated from the Aberdare justices or police; and that it was owing to the action of the police themselves that the recognisances were not entered into within the prescribed time.

MR. HERBERT SAMUEL: My right hon. friend finds on inquiry that the delay in taking the recognisances was due to a technical error. The objection at Quarter Sessions was taken by the Court itself, and was not raised by the Aberdare justices or by the police. As the defendant was deprived of his right of appeal, my right hon. friend has advised that the remainder of his sentence shall be remitted, and he will be discharged to-day.

Sentences on Suffragists.

MR. STANGER (Kensington, N.): I beg to ask the Secretary of State for the Home Department whether His Majesty's Government have any power to give directions to the magistrates as to the punishment to be awarded to the suffragists; and whether, in point of fact, any such directions have been given.

MR. HERBERT SAMUEL: His Majesty's Government have no such power, and of course no such directions have been given. The story which has been widely circulated that my right hon. friend on one occasion gave such a direction to a Metropolitan magistrate is entirely without foundation, and is due either to an extraordinary misunderstanding of a remark made by the magistrate, or to wilful invention.

MR. STANLEY WILSON (Yorkshire, E.R., Holderness): Will the right hon. Gentleman consider the advisability of putting these women in homes of detention, and not in prison?

MR. HERBERT SAMUEL: No, Sir.

Unemployment Returns.

MR. CHIOZZA MONEY: I beg to ask the Prime Minister if he will state how many persons were shown by the census of 1901 to be engaged in the occupations covered by the trade unions reporting on unemployment to the Board of Trade; and what is the number of such persons unemployed, on the presumption that the condition of employment amongst those not belonging to trade unions is the same as amongst those reported upon to the Board of Trade.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. CHURCHILL, Dundee): The number of adult persons employed in the United Kingdom in 1901 in occupations covered by the trade unions, which report the percentage of unemployed members to the Board of Trade, was approximately 2,500,000, and the arithmetical result of applying to the total of such persons in each occupation the percentage of unemployed returned by the corresponding trade unions is about 200,000.

"Labour Gazette."

MR. FELL (Great Yarmouth): I beg to ask the President of the Board of Trade what is the average circulation of the *Labour Gazette*; what are the costs of printing and publishing it annually, and the amount of receipts from its sale and advertisements.

MR. CHURCHILL: The average circulation of the Board of Trade *Labour Gazette* is about 16,000 copies monthly; the annual cost of printing is about £1,000, and the receipts from sales and advertisements are about £300. A large number of copies are distributed free of charge.

Imports and Exports of Tram Rails.

MR. FELL: I beg to ask the President of the Board of Trade what amount of rails for tramway purposes have been imported into this country from Belgium and other countries in each of the last three years; what was the cost of such rails; and what was the average cost of similar rails manufactured in the United Kingdom during the same years.

MR. CHURCHILL: The imports of rails for tramway purposes were not recorded separately from the imports of other rails prior to 1907. In that year 1,362 tons of tramway rails of a declared value of £8,766 were consigned to this country from Belgium and 2,509 tons of a declared value of £18,046 from other countries. I have no official information as to the average cost of tramway rails manufactured in the United Kingdom. In the same year 4,077 tons of tramway rails of British manufacture valued at £69,284 were exported from the United Kingdom.

Court of Arbitration Panel.

MR. BOWLES (Lambeth, Norwood): I beg to ask the President of the Board of Trade whether the published list of names included in the panel drawn from work-people for the Court of Arbitration contains those of any persons other than labour union officials and persons who are or have been connected with labour unions; and, if not, whether, in view of the fact that the great majority of the wage-receiving classes in the United Kingdom have no connection with labour unions, he will take steps to ensure that the interests of that majority of the labouring classes shall be adequately represented on the panel.

MR. CHURCHILL: I believe that the preliminary list already published is wholly or mainly composed of the class of persons named in the first part of the Question. There is not the least intention of confining the workmen's panel to representatives of any particular section of labour, but it is essential, having regard to the objects of the Court of Arbitration, that the members of this particular panel should be persons recognised as possessing weight and influence with the classes of workmen likely to be engaged in labour disputes with employers. It is naturally to be expected that such persons would mainly be found among the responsible leaders of workmen's organisations; but there is, of course, no rule.

Unemployed Returns.

MR. CHIOZZA MONEY: I beg to ask the President of the Board of Trade if, with a view to the publication of fuller information on the subject of the unemployed, he will communicate with the trade unions asking if they have any objection to the publication in a monthly Parliamentary Return of a statement as to the proportion of their members out of work at the end of each month.

MR. CHURCHILL: I have considered this matter carefully, but I have come to the conclusion that it is not desirable to make the communication suggested. The averages published monthly in the *Labour Gazette*, both for all unions making Returns and for particular groups of trades, give all the information likely to be extracted from these Returns which is really of value to the public as indicating changes in the level of employment.

MR. CHIOZZA MONEY: May I ask the right hon. Gentleman if he will communicate with the trade unions, and ask the question? If he does, he will find that they do not object. I believe that the Amalgamated Society of Engineers already publish the information, so why cannot the Board of Trade do it?

MR. CHURCHILL: I am desirous of giving the House the fullest and most accurate information; but I must follow what I consider good advice as to the methods taken to obtain the Returns.

Shoddy Cloths.

MR. CHIOZZA MONEY: I beg to ask the President of the Board of Trade if his attention has been directed to the fact that the Canadian Manufacturers' Association is officially representing to the Canadian Government that British manufacturers are taking advantage of the Canadian public by exporting to Canada cloths which are shoddy and rubbish; whether he is aware that it was owing to similar representations that the Canadian Manufacturers' Association in 1904 was able to obtain the practical abolition of the preference on British woollens, the minimum duty on which is now as high as 30 per cent.; and whether he is taking any steps to counteract the renewed misrepresentations.

Mr. CHURCHILL: My hon. friend will find, on reference to page 1356 of the Votes, that an answer has already been given to this Question.

The "Oxus" Inquiry.

Sir F. BANBURY (City of London) I beg to ask the President of the Board of Trade whether he can state when the inquiry on the loss of the "Oxus" will terminate; and what the cost of the inquiry has been.

Mr. CHURCHILL: I understand that a number of witnesses from the "Oxus" have yet to be examined, and that consequently the inquiry will not terminate for several days. The approximate cost of the inquiry to 31st October is estimated at £535.

London Electricity Supply Bill.

Mr. LOUGH (Islington, W.): I beg to ask the President of the Board of Trade whether he can see his way to undertake, with regard to the later stages of the London and District Electricity Supply Bill [Lords], that, if the Bill should emerge from Committee, the subsequent proceedings shall be left to the free decision of the House without Government Tellers in any Division.

Mr. CHURCHILL: It has never been the intention of the Government to assume direct responsibility for this particular solution of the problem of London Electrical Supply, and after the usual procedure has been followed, and the Bill has been duly examined by the Select Committee, it would, I think, be in accordance with the general wish that the House should be left free, as the right hon. Gentleman suggests, to pronounce its decision upon the complex issues presented.

Enclosures of Roadside Strips.

Mr. HAROLD COX (Preston): I beg to ask the President of the Local Government Board whether he is aware that in many parts of the County of Kent landowners are deliberately enclosing roadside strips or permitting such strips to be overgrown with underwood in preparation for their enclosure at a subsequent date; and whether he will introduce a Bill empowering all road authorities to remove underwood and other obstructions from any part of the highway, and, failing action on the part of the road authorities, to empower the Local Government Board to take any necessary action.

The PRESIDENT of the LOCAL GOVERNMENT BOARD (Mr. John Burns, Battersea): I was not aware of the allegations mentioned by my hon. friend. I would, however, point out to him that district councils have full power to take action to protect all public right of way and to prevent the obstruction of any such right. I suggest that in any particular case of the kind to which he refers the facts should be brought under the notice of the council of the district concerned. I would draw his attention to the provisions of Section 26 of the Local Government Act, 1894, on this subject.

Mr. CROOKS: Perhaps the right hon. Gentleman will call the attention of the Secretary of State for War to the enclosure of Woolwich Common.

Mr. HAROLD COX: May I ask the right hon. Gentleman whether, failing action by the district authority, who are, very often, under the thumb of the very landowners who are stealing this land, he will take action?

*Mr. SPEAKER: That Question is rather argumentative.

Distress Committees.

Mr. ARTHUR HENDERSON (Durham, Barnard Castle): I beg to ask the President of the Local Government Board if he will state the names of the thirty-three local authorities who applied for permission to establish distress committees and were refused, giving the population within their areas, and also the names of the eleven authorities who applied and afterwards withdrew their application, giving the population in each case.

Mr. JOHN BURNS: I will send my hon. friend a list giving the particulars for which he asks, and it will be circulated with the Votes in the morning.

Mr. ARTHUR HENDERSON asked whether, in view of the exceptional distress existing, the right hon. Gentleman would favourably consider a second application from localities which had been refused the right to establish distress committees.

MR. JOHN BURNS: I have already received, and am considering, the kind of application to which my hon. friend refers.

MR. CLYNES (Manchester, N.E.) asked whether the refusal to permit the establishment of distress committees in these cases was based solely on reasons of population.

MR. JOHN BURNS: Oh, no—the necessities of the cases, the distress in the district as measured by the unemployed registered at the bureau, the trade union return, pauperism, and any other general information bearing on the subject.

Fulham Workhouse.

MR. H. H. MARKS (Kent, Thanet): I beg to ask the President of the Local Government Board if he can state whether the store-keeper and the labour master of the Fulham Workhouse, who were convicted at the West London Police Court on Tuesday, 26th October, of assaulting a crippled inmate of the workhouse, and fined each 40s. and costs, are still retained in their offices.

MR. JOHN BURNS: The Answer is in the affirmative. The guardians deferred consideration of the case pending the proceedings in the Police Court, but it is now being investigated by a committee of that body.

Allocation of the Parliamentary Grant.

MR. KETTLE (Tyrone, E.): I beg to ask the President of the Local Government Board what is the principle or standard according to which the amount of the Parliamentary Grant to be allocated to each distress committee under the Unemployed Workmen Act is determined.

MR. JOHN BURNS: The general lines on which I am administering the Grant are to make payments out of it to the distress committees of those districts in which, on the information before me, there seems to be exceptional need for assistance in meeting the cost of providing or contributing to the provision of temporary work. There are many distress committees, I am glad to say, to whom it is not necessary that any payment should be made. The amount paid to any particular committee depends on the character of the work proposed, the number of persons to be employed on it, and all the circumstances of the case.

Unemployment in Paddington.

MR. CHIOZZA MONEY: I beg to ask the President of the Local Government Board if he is aware that, according to the Report of the Paddington Distress Committee for 1907–8, the Paddington Borough Council, although knowing that many investigated cases of unemployment existed in the borough, refused to find work for the men concerned, in spite of the offer of the Central Body to pay their wages if the council planted trees in the borough and found the material for such planting; and what he proposes to do in the case of such obstructive local bodies in the winter of 1908–9.

MR. JOHN BURNS: It appears that the Paddington Borough Council were indisposed last year to undertake further tree-planting in the borough. I am informed that they have at the present time proposals before them for work which will afford employment to the unemployed, and that some of these will be considered at their meeting to-morrow.

Cyfarthfa Castle.

MR. KEIR HARDIE: I beg to ask the President of the Local Government Board whether he has received the report of the inspector sent to inquire into the proposed purchase of Cyfarthfa Castle and grounds by the Merthyr Borough Council; and whether the loan applied for by the council will now be sanctioned.

MR. JOHN BURNS: The inquiry was held on Wednesday last. I have since received and considered the Report of the inspector, and have decided to sanction the loan desired. The formal sanctions were sent to the town council on Saturday.

Old-Age Pension Calculation.

*Mr. HERBERT (Buckinghamshire, Wycombe): I beg to ask the President of the Local Government Board whether, in cases of claims to old-age pensions referred to his Department, in which the right of the claimant to a pension, or to a pension according to a particular scale, depends on whether furniture to the extent of £30 belonging to the claimant is or is not taken into account, he will decide such claims according to the provisions of the Old-Age Pensions Act, which require such furniture to be taken into account, or according to the instructions issued to pension officers, which require them not to take such furniture into account.

Mr. JOHN BURNS: I shall endeavour to carry out the duties entrusted to me to the best of my ability, but I cannot undertake to say before-hand in what manner appeals to me will be decided.

*Mr. HERBERT: Would it not be convenient to make public the information for the benefit of pension officers and pension committees, so that their action might be guided by it?

Mr. JOHN BURNS: Seven or eight doubtful points are at present before the Law Officers, and I think it would be premature to make any statement.

Mr. HAROLD COX: Will the right hon. Gentleman follow the advice of the Law Officers in this matter?

Mr. JOHN BURNS: Yes, of course, tempered by humanity and common sense.

Mr. HAROLD COX: Does the right hon. Gentleman mean that his construction of what is humanity is to override an Act of Parliament?

Mr. JOHN BURNS: I think the Law Officers and myself could agree on all three points.

Mr. CROOKS: Is furniture to be taken as part of the income?

Mr. JOHN BURNS: It depends on whose furniture it is.

Local Authorities—Encouragement of British Trade.

Mr. HUNT (Shropshire, Ludlow): I beg to ask the President of the Local Government Board whether he will consider the desirability of issuing a circular to local authorities advising them to imitate the policy of the London County Council by buying only articles made by British labour.

Mr. JOHN BURNS: This is a matter which must, I think, be left to the local authorities. I could not undertake to issue a circular of the kind suggested.

Public Works and the Exchequer Grant.

Mr. HAROLD COX: I beg to ask the President of the Local Government Board whether, under the Government scheme for dealing with the unemployed, it is proposed that any local authority which can show that public works undertaken by it have cost more in consequence of the employment of the unemployed in place of ordinary workmen, will receive the whole amount of that extra cost up to 30 per cent. from the national Exchequer; and whether, seeing that this involves a temptation to the local authority to employ the worst workmen from among the unemployed instead of the best, and to exercise insufficient supervision over their labour so as to secure for the locality the maximum monetary advantage offered by the Exchequer, he will say what steps he proposes to take to obviate these evils.

Mr. JOHN BURNS: The Answer to the first part of the Question is in the negative. Payments from the grant are only made where the distress from the want of employment is acute, and the number of applications to the distress committee is large. In such a case, however, if the local authority put in hand useful and permanent work of which I approve, and which will afford employment for men supplied by the distress committee, I am prepared to make a payment to the distress committee based upon the reasonable excess cost expected to be properly attributable to the employment of these men. The payment is usually made before the work is carried out, and hence there is an inducement to the local authority to endeavour to obtain the best men and to exercise proper supervision in order to save the burden on the rates. I have seen no signs of the tendency to which my hon. friend refers, and I do not think it likely to occur. He may rest assured that I shall do my best to check it, if it should.

Small Holdings Act Loans.

MR. MONTAGU (Cambridgeshire, Chesterton): I beg to ask the President of the Local Government Board whether he has issued a circular to local authorities in which he limits his sanction for loans for buildings under the Small Holdings Act of last year to thirty years.

MR. JOHN BURNS: The Answer is in the negative. The maximum period for loans in respect of buildings which the Act permits is fifty years; and this period I am prepared to allow where the probable life of the building and the other circumstances of the case admit of my doing so.

*MR. MONTAGU: Has the right hon. Gentleman up till now refused any loans for fifty years under this Act?

MR. JOHN BURNS: No. The terms are eighty years for land and fifty years for buildings.

National Telephone Company.

MR. BROOKE (Tower Hamlets, Bow and Bromley): I beg to ask the Postmaster-General whether he will consider if some arrangement can be made with the National Telephone Company, whereby the change from magneto-working to the common battery system may be made in those parts of the Metropolitan area where the latter system is not yet in operation, thus bringing those parts into line with the other parts of the same area served by the Post Office, and so giving employment to men now or about to be discharged from the National Telephone Company.

THE POSTMASTER-GENERAL (Mr. SYDNEY BUXTON, Tower Hamlets Poplar): It may not be desirable to introduce the common battery system at the minor exchanges, and very few of the Company's larger London exchanges are now on the magneto system. I will, however, bear in mind the hon. Member's suggestion in my negotiations with the Company.

Contracted-out Schools and Scholarship Competitions.

MR. JOYNSON-HICKS (Manchester, N.W.): I beg to ask the President of the Board of Education whether, having regard to the fact that under the Education Bill now before the House no voluntary school which contracts out is to be deemed a public elementary school, it is the intention of the Government to debar children in such contracted-out schools from competing for those free scholarships which, under the present Acts, are awarded to scholars in public elementary schools.

THE PRESIDENT OF THE BOARD OF EDUCATION (Mr. RUNCIMAN, Dewsbury): I am not sure to what scholarships the hon. Member refers. The liberty which local education authorities now enjoy in making schemes for their own scholarships is in no way curtailed by the Bill. With regard to scholarship provisions contained in schemes for the regulation of endowed charities, I may refer him to Clause 8 (3) of the Bill.

Statute of Contracted-out Schools.

MR. JOYNSON-HICKS: I beg to ask the President of the Board of Education whether, in the case of voluntary schools contracted out under the provisions of the Education Bill now before the House, such schools will continue to be considered as public elementary schools under the provisions of the Teachers' Superannuation Act, 1898.

MR. RUNCIMAN: Service in a voluntary school in receipt of grant under Clause 3 of the Education Bill will count as recorded service for the purpose of the Superannuation Act.

Contracted-out Schools—Teachers' Pensions.

MR. JOYNSON-HICKS: I beg to ask the President of the Board of Education whether, in the case of voluntary schools closed in consequence of the inability of the parents or managers to provide the necessary funds, above the 47s. grant, for its maintenance, the teachers in such school who have paid their contributions to a superannuation fund, under the provisions of the Teachers Superannuation Act, 1898, will lose the benefit of such payments.

MR. RUNCIMAN: Teachers are entitled to the annuity purchaseable by their contributions to the Deferred Annuity Fund whether they continue in recorded service or not. Those teachers whose length of service does not qualify them for a superannuation allowance on attaining the age of sixty-five will, if they desire to secure one, be under the necessity of obtaining a post elsewhere.

New Law Courts.

MR. SEAVERNS (Lambeth, Brixton): I beg to ask the First Commissioner of Works whether it would be possible to put in hand without further delay the western extension of the Law Courts in order to reduce the number of unemployed in London; and whether, with the same object, he can arrange for the projected excavations under the quadrangle of Somerset House and other general works at Somerset House to be proceeded with this winter.

THE FIRST COMMISSIONER OF WORKS (Mr. L. HARCOURT, Lancashire, Rossendale): The extension of the Law Courts will, I anticipate, be commenced in the course of two or three weeks. The excavations under the quadrangle of Somerset House are abandoned for the present owing to reorganisation. There are no other general works at Somerset House to be taken in hand.

Unemployment in Ireland.

MR. WILLIAM REDMOND: I beg to ask the President of the Local Government Board if he has received any representations from the Ennis Distress Committee as to the unemployment question; and whether he will see that the Ennis Committee receives a fair share of the Government grant promised this winter.

THE CHIEF SECRETARY FOR IRELAND (Mr. BIRRELL, Bristol, N.): The Local Government Board for Ireland have received an application from Ennis for a grant from the unemployed fund, but the application has not yet been submitted to the Treasury, pending receipt of further information from the distress committee. I understand that the Treasury do not consider that sufficient information as to the actual requirements is yet available to enable them to make an allocation of a fixed maximum grant to Ireland. Meantime every application is judged on its merits and with due regard to relative necessities of the different localities. The Local Government Board must, when submitting applications from Ireland, satisfy the Treasury in each case that the distress and the local circumstances attending it are such as to enable a grant to be made within the terms of the Unemployed Act. So far the Ennis Committee have not supplied the Board with any particulars which could satisfy the Treasury as to this.

MR. WILLIAM REDMOND: Will the right hon. Gentleman see that the Irish Local Government Board supply the Ennis and other local authorities with full information as to what is required of them?

MR. BIRRELL: Certainly.

MR. JOYCE (Limerick): Must distress committees be formed in every case to entitle the local authorities to a grant, or can local authorities set in motion other machinery?

MR. BIRRELL: I think the rule is that there must be distress committees.

MR. NANNETTI (Dublin, College Green): Has not the President of the Local Government Board stated in this House that of the £10,000 allocated to Ireland for the relief of distress only £5,000 was apportioned last year? Is he also aware——

*MR. SPEAKER: Notice should be given of those questions.

The Government and Unemployment Distress.

MR. ARTHUR HENDERSON: I beg to ask the Prime Minister whether, in view of the fact that the grant of money to be voted by Parliament for the relief of the exceptional distress arising from unemployment is to be administered through distress committees, he can say what steps the Government propose to take for ensuring assistance from the grant for local authorities in whose areas there are no distress committees and where distress arising from unemployment is really acute.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. ASQUITH, Fifeshire, E.): The grant is voted for "contributions in aid of expenses under the Unemployed Workmen Act, 1905." Consequently payments from it can only be made in areas in which there are distress committees under the Act. It is, however, usually in places in which the population is considerable that distress from want of employment is found to be acute, and in any urban district with a population of 10,000 or upwards which does not possess a distress committee the Local Government Board are empowered to constitute one. It is, of course, undesirable to set up a distress committee in a district unless the distress arising from the want of employment is really serious, and cannot be met in other ways, but where this is the case application may properly be made to the Board to exercise the power to which I have referred.

MR. CROOKS asked the right hon. Gentleman whether it was not the duty of the Government to prevent a crisis rather than to wait for one to arise.

MR. ASQUITH: So far as they can, undoubtedly.

MR. KEIR HARDIE asked whether there was any law that compelled the Government to restrict this grant to areas in which distress committees had been set up.

MR. ASQUITH: That is so. That is the Act of 1905.

MR. KEIR HARDIE: Is not the Government free to dispose of this grant as it thinks proper, apart from the Act?

MR. ASQUITH: No, Sir. The grant was asked for for the purposes of the administration of the Act.

MR. ARTHUR HENDERSON: Are we to understand that, in the event of exceptional distress existing where there is no distress committee, it is beyond the power of the Government to make any arrangement whereby that distress can be relieved?

MR. ASQUITH: I do not say that; but I say it would be opposed to the provisions of the Unemployed Workmen Act.

MR. ARTHUR HENDERSON: I think the question asked was what steps the Government propose to take to meet these exceptional cases where there are no distress committees.

MR. ASQUITH: What I have suggested is that, in such cases, application should be made for the formation of distress committees. They will be considered most sympathetically.

Work Schemes for the Unemployed.

MR. ALDEN: I beg to ask the Prime Minister whether, in view of the fact that legislation for the relief of unemployment has been promised for next year, he will consider the advisability of appointing a Select or Departmental Committee to examine and report on the various schemes which have been suggested for finding useful work for the unemployed; whether he can now state when the House can be placed in possession of the results of the Coast Erosion Commission so far as it relates to such schemes; and whether it would be possible immediately to commence the task of organising and co-ordinating the local labour registries in such a way as to form a complete national system.

MR. ASQUITH: I do not think we have yet reached the stage at which such an inquiry as is suggested in the first part of the Question could usefully be undertaken. In reply to the second part of the Question, I understand that the Royal Commission hope to report on afforestation early next year, and that the Commission's investigations into the other subjects referred to them are likely to occupy a considerable time. With regard to the last paragraph of the Question, I would refer my hon. friend to the answer given by my right hon. friend the President of the Board of Trade to my hon. friend the Member for East Northamptonshire, in which an assurance was given that the whole subject was being thoroughly explored by the Board of Trade in relation to the general questions of unemployment, under-employment, and casual labour.

Mr. KEIR HARDIE asked whether the Prime Minister was aware that an Inter-Departmental Committee of the French Cabinet was now considering what steps should be taken, and whether a similar course should not be followed here.

Mr. ASQUITH: I was not aware of what was happening in France, but I can assure the hon. Gentleman that the Cabinet here is fully alive to the matter.

Irish Land Act.

Mr. JOHN REDMOND (Waterford): I beg to ask the Prime Minister if he will state when the amending Land Bill for Ireland, promised in the King's Speech will be introduced; and whether that Bill will deal with the three questions of general amendment of the Law, the question of congestion, and the finance of the Land Act of 1903.

The following Questions also appeared on the Paper.

Mr. LONSDALE: To ask the Prime Minister whether he can now state when the proposals of the Government with regard to Irish Land Act finance will be laid before the House.

Mr. WILLIAM O'BRIEN (Cork): To ask the Prime Minister if he can relieve the suspense in the West of Ireland by stating definitely whether the Government intend to press the Bill for the relief of congestion through the House of Commons this session.

Mr. WILLIAM O'BRIEN: To ask the Prime Minister whether facilities will be given for the prompt discussion of the Government's promised proposals with respect to land purchase finances.

Mr. ASQUITH: I apologise most sincerely to the hon. Members who have asked me these Questions and to the House, for I have to ask them to allow me still a little further delay, in the hope that I may make a more comprehensive and satisfactory statement on this matter. I trust to do so on Wednesday next.

Civil Rights of Civil Servants.

Mr. WARDLE (Stockport): I beg to ask the Prime Minister whether his atention has been directed to the cases that have arisen recently regarding the action of Civil servants in political matters; and whether, seeing that the existing Treasury Regulations defining the attitude of Civil servants during electoral contests and cognate questions were issued many years ago, and in view of the growth of State employment, the recognition of trade unionism by the Government, and the variety of interpretations placed upon the regulations in different Departments of State, he will consider the advisability of appointing a small Committee of this House to inquire into and report upon the advisability of amending the present arrangements.

Mr. ASQUITH: The matter is under the consideration of the Government, and I do not think that an inquiry of the kind suggested by the hon. Member is, under the circumstances, advisable.

SELECTION (STANDING COMMITTEES).

Sir William Brampton Gurdon reported from the Committee of Selection; That they had added the following Member to Standing Committee A (in respect of the White Phosphorus Matches Prohibition and of the Criminal Appeal (Amendment) [Lords] Bills): Mr. Oddy.

Report to lie upon the Table.

LICENSING BILL.

Considered in Committee.

(In the Committee.)

[Mr. Emmott (Oldham) in the Chair.]

Clause 20:

MR. BOTTOMLEY (Hackney, S.) said he rose for the purpose of moving the omission of subsection (1) which placed in the hands of justices the power of over-riding and abrogating some of the most important provisions of the Bill and of imposing upon the licensing trade restrictions and conditions for which there was no Parliamentary sanction whatever. The House had determined that throughout the whole of England, with the exception of London, the present opening of houses on Sunday should be reduced by one-half, whilst as to London the Government had expressed its intention, subject to certain limitations, the terms of which were not at present before them, of extending that provision to the Metropolis also. The House had further determined that the thirsty traveller should not be considered *bona fide* unless he had gone at least six miles. This subsection proposed that each of these provisions might be over-ridden and set at nought, or extended in the direction of further stringency, by the justices at their own sweet will. In addition, they were given the power of restricting the opening of public-houses on polling days, and of saying that no women should be employed in any capacity on licensed premises, neither as barmaid, clerk, cashier, or waitress, nor could the daughter of the proprietor himself be employed. All these powers were put into the hands of the justices, and they were empowered to make conditions as to expenditure for fitting up premises, although there was no possible guarantee to the licensee that he would have his premises after a few months when he had fitted them up. The view he wanted to submit respectfully to the Committee was this, that if this subsection was passed, it would constitute a precedent for the insertion in every future Act of Parliament of a clause entitling His Majesty's Judges to vary the provisions of any Act of which they disapproved. It would reduce law to anarchy and legislation to a farce. He was told that in Scotland, Ireland, and Wales this sort of restriction had worked well, but he respectfully disputed the proposition. He was prepared to test it if necessary by a reference to the consumption of alcoholic liquor per head of the population, to the charges of drunkenness, not restricted within an artificial area as had been suggested the other night, from eight o'clock on Sunday morning to eight on Monday morning, but throughout the prohibited hours, which was the only true test, or by reference to the number of crimes directly attributable to drink; but he did not propose to pursue that line of argument, because, with the utmost respect to the hon. Members who represented Scotland, Ireland, and Wales, he declined to take a lead on the question of national sobriety from the three least temperate portions of the United Kingdom, to two of which the Bill did not apply and all of which were peopled by the unreliable and emotional Celtic race. If he were tempted to pursue that line of argument, he would refer the Committee to a Report which reached him only that morning in the Welsh papers, typical of what was going on in every portion of the world where this sort of legislation prevailed. Might he ask the attention of the House to this extract from a Cardiff newspaper—

> "Bridget Hanlon, of Mary Ann Street, was summoned at Cardiff on Friday last for selling beer by retail without a licence. P.C. Male stated that he watched the house on Sunday, the 18th inst., and saw nine men and four women enter. Witness found three women and two men seated at the table with two flagons in front of them, one of which was full. There were also three glasses on the table. Ten empty flagons were found under the table, and there were also two women lying drunk in another room."

That was a police court case, referring to Cardiff, a fortnight ago, and he declined to take the Celtic example as his guide in these matters. Equally he declined to go to the ponderous Scandinavian guides as to how he should take his reasonable recreation and refreshment; while as regarded America he thought it was quite time enough to take it as an example for English law when its citizens had learned to speak the English language. He looked at this matter from the point of view of an Englishman, and he said that a power such as this subsection gave was alien to the genius of the race; it was an insult to the decency and the self-respect of the people; and it was, in the name of temperance, a fantastic burlesque of the old sumptuary laws, which, under the guise of social reform, to his mind very clumsily concealed an effort to fill the empty pews of the Churches to appease the ecclesiastical authorities of the country and mollify perhaps their attitude in regard to other proposals of His Majesty's Government. How would the proposal work? If this subsection was allowed to stand they would have the spectacle of public-houses closed in one portion of the country, even in one portion of London, and open in others. They would have London, the most sober city in the whole world on a Sunday, with all its drinking facilities taken away, and they would have five Irish cities, which were not the most temperate portions of the British Empire, with the fullest facilities for the enjoyment of their desires. What arguments had been brought forward for extending Sunday closing in London and elsewhere? The first was rest for the employees, but he looked with suspicion upon the solicitude of temperance reformers for the physical welfare of the employees of licensed victuallers. He used to be an itinerant spouter once in the interests of the Liberation Society, and he was actuated in urging the disestablishment of the Church by a sincere regard for the best interests of that great institution. He looked with suspicion upon this solicitude for the employees, and he asked what brought it about. What body of those employees had ever asked in any form for this protection? He wanted to ask hon. Members who felt so keenly about it, whether they made a point of having condensed milk on a Sunday to give their milkmen a rest, whether they ate only cold dinners on Sunday to give their servants a rest, and whether that morning they had refrained from reading the newspapers because they were printed and prepared on Sunday? He called that argument cant. What was the next argument? They could not take up a tract or a pamphlet, or listen to a speech, on this subject, without finding that the Lord's Day observance was the fundamental basis of the movement. He respected the sentiments of those who, in the depths of their heart, believed that a special observance of the Sabbath was a matter of high moral concern, but this was not the occasion to argue it, and surely the Licensing Bill was not the measure to provide for it. He could quote speeches by many hon. Members on that side of the House in quite recent times, showing conclusively that they were more concerned with the Sabbatarian aspect of this matter than with the purely temperance aspect; but he left that question on one side, on the general ground that it had no proper place within the four corners of this Bill. The only other possible justification was that this was a temperance measure. But on Sunday throughout England there was not half as much drink consumed as there was on Monday, and not a quarter as much as on Saturday. He heard a groan from an hon. Member on his left; he did not know whether he regretted the fact.

An HON. MEMBER: On Sunday the public-houses are not open so long.

Mr. BOTTOMLEY said they were open for seven hours on Sunday. There were working men who really did go to work on week-days, and that did not leave them seven hours in which to drink, as they had on Sunday.

*The CHAIRMAN said the Amendment was to move the omission of subsection (1), and he thought the debate itself ought to be confined to the general advisability of such a restriction, and ought not to consist of a detailed examination of the various paragraphs, the omission of nearly all of which would be moved at a later stage. He thought the hon. Member was going into too much detail.

Mr. BOTTOMLEY said he would be forgiven for respectfully pointing out that this was by no means the first Amendment of this kind moved on the Bill. On every one of the preceding occasions a discussion had been permitted on the general subject found in the subsection. His argument was as to how far the justices should be permitted to have any power to do anything which was not previously provided for in the Act. His speech must necessarily be put an end to if a discussion could not take place on the subsection. The subsection provided that the justices, as distinct from Parliament, might alter provisions previously contained in the Bill, and might impose other restrictions which the Bill did not authorise. His argument was that, first of all, there was no justification for giving further power to any authority. Secondly, he had been going to argue that certainly the justices, especially after the Report of the Royal Commission, were the last body in the world that ought to be entrusted with such a power. He appreciated the desire of the Chairman to limit the discussion to that subsection and to narrow the point as much as possible in order to leave open an opportunity for the discussion of each subsequent paragraph on its merits, but he hoped that any right hon. Gentleman who might speak would answer the specific points he had put, rather than indulge in a general address on temperance reform. Briefly, his points were these—that there was less drinking on Sunday than on any other day, and that there was less crime on Sunday attributable to drink. Why was it that if in parts of the country they were to have complete Sunday closing, Parliament was not competent to provide for it by substituting a clause in this Bill, instead of shifting responsibility on to the justices, who might act differently in one place from what they would in another? So far as the employment of women was concerned, he observed that the hon. Member for Blackpool was in his place, and he recognised that the barmaids of the country were the hon. Member's special preserve. He could only say that to give the justices the right to prevent the employment of women meant the dislocation of the employment of 100,000 persons engaged in unskilled labour. He wondered how Labour Members opposite, who were so interested in the unemployment question, could so glibly swallow a provision by which 100,000 women would be thrown out of work, and all in the cause of fictitious temperance reform. What was the justification of giving the justices this power, what demand had there been? There had been two deputations to the Home Secretary. One consisted of well-meaning ladies and two or three bishops, not one of whom, he ventured to say, had ever gone into a public-house in his or her life, or if any of them had, they had certainly concealed the fact in their speeches to the Home Secretary. That deputation from the outside point of view urged the abolition of barmaids. What would the Home Secretary have said if a deputation of licensed victuallers had waited upon him to urge that the question of church discipline was something in which they were just as competent to advise as were the well-meaning ladies and bishops to talk about the employment of barmaids? Why should the justices forbid the employment of women? What had ever come before the Court to show that these women were unworthy of respect? There had been no case in the last ten years of a barmaid having been brought into the dock charged with any offence in any way attributable to her calling. Under these circumstances, was it not a monstrous insult to that community to brand them by Act of Parliament as immoral? He left that part of the clause in order to deal with that which had reference to the structural alteration of premises. If the justices were to have power to say to the licence-holder that he was to spend a large sum of money on the premises, it was probable that the licensee would prefer to forfeit the licence rather than embark on the expenditure. Another important provision in the subsection was that the justices were to have power to close any public-house on polling day. [MINISTERIAL Cheers.] He was glad to have called forth that cheer. If the House felt so keenly that this was a proper provision, why had it not the courage to put it in the Bill, instead of this substitution of the bench of justices for the House of Commons? If there was to be power to close public-houses on polling day in one district, why not on another? He was amazed, sitting in a democratic House of Commons, to observe the readiness with which hon. Members were prepared to relegate the whole of their great functions to that wholly undemocratic body, the licensing justices. Why close public-houses on polling day? What was the evil? What was the offence? Where were the figures? They were all against the supporters of this proposal. He defied the hon. Member for Lincoln to find him a single case in which the charges for drunkenness on polling day had exceeded the general average over a period. The only argument they could bring forward was that as the electors of the country now invariably voted against the Government, they must be acting under the influence of drink. They created the democratic electorate, and told it that its voice was the voice of God, and that in its hands rested the destinies of the greatest empire the world had ever known, and then they rushed off to Parliament to pass an Act to prevent its getting drunk on polling day. He declined to go to Canada or elsewhere for guidance on such a subject. The other day the hon. Member for Lincoln thought he had made a fine point when he elicited, by way of question, a statement from the Under-Secretary for the Colonies to the effect that during the recent Canada elections all the licensed premises were closed. He could not help watching the hon. Member's face as the Under-Secretary read out the answer. It had the expression of an angel, but with a halo that did not fit, and an afflatus in which malevolence and fanaticism took the place of divinity. If they went to the Colonies and dependencies for one thing, let them go there for others. Let them be consistent. He could not fail to observe a few evenings ago how indignant Labour Members grew when the President of the Local Government Board told them that if working men spent less on drink they could insure against unemployment; and yet a few hours afterwards they were cheering similar sentiments when advanced in favour of these restrictions. There was no case whatever made out for this clause. But if there were, what had it to do with the justices? Could not Parliament be trusted to deal with it? In one constituency they might have all the public-houses closed on election day, and in the next constituency they might all be open, and thus they might create the drunkenness, the very evil which seemed a matter of such supreme indifference to Members behind him. He made a final appeal to the Government to reconsider this clause, which had no proper place in the Bill. The Bill was based upon two principles—the suppression within fourteen years of undesirable licences at the expense of the desirable ones, and the annexation of the desirable at the end of fourteen years on behalf of the State. There was no proper place in the Bill for provisions of that kind, and he ventured to say there was not a Member on that side of the House, certainly no London Member, who would not rue having voted for such provisions when the next polling day came round. He respectfully urged, he implored the Government to pause in an attempt which was carrying it to destruction. He spoke as a Member of the Liberal Party, as one who had mixed with the working-classes, and as a man of the world, not as an arm-chair or book politician, when he said that these provisions were shocking the whole sense of the community. If these powers were right then let Parliament exercise them and take the responsibility for them. He had not endeavoured to embellish his observations. Like Mark Antony, he was a plain and blunt man, and, if he might pursue the simile, he would say that if he were Brutus, and Brutus Antony, then Antony would put a tongue in every clause of this wretched Bill, which should stir every Member of the House to rise in mutiny against a policy which reduced the position of every Member of Parliament to the *role* of a temperance tub-thumper, and that of his constituents to a beast of the field.

Amendment proposed—

"In page 13, line 5, to leave out subsection (1):"—(*Mr. Bottomley.*)

Question proposed, "That the words 'licensing justices' stand part of the clause."

MR. ASHLEY (Lancashire, Blackpool) said he cordially agreed with the hon. Member opposite that it was most illogical to put these powers on the shoulders of the licensing justices, leaving them to make the change proposed in the subsection, and not enacting them in the Bill. The House had laid down that there must be a statutory reduction of licences in fourteen years, and though they would not allow the justices, who knew the local considerations, to decide the number of houses there were to be in a locality, yet they were going to give to these same justices power as to Sunday closing and the prohibition of the employment of women on licensed premises, together with such extensive powers in reference to *bona fide* travellers that they would absolutely revolutionise the life of the people on Sunday in this country. That was most illogical and most wrong, and if the Government really intended these provisions to become law and be put in force, then he submitted they ought to be enacted as the law of the land and it should not be put on to the shoulders of the justices to make arrangements, whether they liked it or not. What did this provision mean? Did it mean that the justices might make alterations in the arrangements of the licensed houses, and have power to say what they were to be in the dining-room, or whether tables were to be provided instead of bars? Again, supposing the licence holder promised to make the alterations required by the justices, what guarantee was there that in a year or two the whole thing might not be changed by another lot of justices? Surely the position of the licence-holder under this provision would be absolutely impossible. As the law stood he must not give any short measure. If he did he was put in the police court for defrauding the public. Under this subsection he must not give a drop too much, because if he did he would also be in danger of losing his licence. The position was exactly the same as that in which Shylock was put by Portia, when she said: "If you take one pennyworth more or less than a pound of flesh or spill one drop of blood, all your goods will be forfeited to the State." Surely it was putting a still further unjust burden upon the man who had a great many restrictions and a great deal of police supervision to undergo at present. Take the case of Sunday closing. He wondered if hon. Members had considered the great number of people in London who would have their lives directly affected if Sunday closing were enacted over the whole of London. Take the thousands of young men and women who lived in lodgings—clerks, typists, etc.—lodgers who were called bed and breakfast people, who had their meals near their place of employment during the week, and on Sunday had their meals near the place where they lodged. If no place where intoxicants were sold were open, where would they get their meals? Take foreigners who lived in such numbers in Soho, who always dined out on Sundays. Where would they get their meals? Take the gentlemen of the Press who worked on Sunday evenings in order that the public might have their newspapers on Monday morning. Where would all the staff of the great daily papers get their Sunday meals if there was Sunday closing in London? All these things ought to be considered before they handed over this large and extensive power to the licensing justices. With regard to election days, surely if the electors were able to measure the Government up, and decide whether it was to continue to govern the country, they were fit to measure their own drinks, and it was perfectly illogical to say that people who were given the power to decide the destinies of the Empire should not be allowed to drink a glass of beer on election day. In regard to the employment of women, they ought to consider whether they had any moral right, as a body of men, elected entirely by men, to prohibit the employment of women in a certain trade, purely on sentimental grounds, because it was really on sentimental grounds that they were going to interfere. It was not on moral or physical grounds. On moral or physical grounds what precedents had there been for prohibiting the employment of women? Only two; ten years ago when they were forbidden to be engaged in a certain process of white lead manufacture, and in 1842 when the Mines and Collieries Act was passed to prevent women from being employed underground. In both these cases it was right that the employment of women should be totally prohibited, but it was done on physical and moral grounds. Could they say that they would be preventing women from being employed on licensed premises on physical grounds? It had been said that they were obliged to stand too much. That might be a very good reason, if it was so, for regulating their employment, but not for prohibiting it. But surely they did not stand longer than those employed in drapery shops or temperance restaurants. If they were going to legislate for women they must widen their field very much indeed, and look round and see how many more thousands of women they could bring within the scope of their care. It was said that these women worked long hours, but he did not think they worked longer than women in many manufactories, certainly not in the big shops. If they did, let them shorten their hours, but not take away their means of livelihood. It was said that the air they breathed was bad. If so, the licensing justices were not doing their duty in seeing that the licensed premises were properly looked after.

*THE CHAIRMAN: I really think this would be much more appropriate to the omission of paragraph (*a*), which I understand will be moved. It is an extended argument dealing with the treatment of women and children, and it seems more suited to paragraph (*a*) than to the whole subsection.

MR. ASHLEY said he would sit down if that was so, but he was endeavouring to bring forward the case of these women, because he thought the omission of women would never be reached.

MR. A. J. BALFOUR (City of London) said it was very important that they should quite understand what the Chairman's views were on the discussion of the subsection. He understood he admitted as being perfectly in order a survey of the various sub-heads of the subsection, but rather deprecated detailed discussion of any particular subject. The subsection was one of enormous importance, and they had to finish it by half-past ten, and it might be quite impossible to deal with it separately, and possibly a better cumulative case could be made if they were allowed to have a general survey of the whole subsection.

*THE CHAIRMAN said he did not know, of course, what time the survey was going to occupy. He was in hopes in this particular case that they would be able to get to some of the paragraphs, and that was why he suggested that they should do that rather than discuss matters in great detail at this point.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. ASQUITH, Fifeshire, E.) quite agreed that it was impossible to discuss fruitfully, or even logically, the question of the omission of this subsection without having regard to the various sub-heads which it included, and that by way of illustration it was almost necessary to discuss these various topics in determining the larger question whether or not it was desirable so vest in the justices any discretion of this kind at all. But he would strongly appeal to the Committee to make the general discussion as short as possible in order that they might consider *seriatim* whether each of these subjects ought to be left to the discretion of the justices. The real question was whether or not, in addition to these specific prohibitions and restrictions of universal application which were embodied in the Statute itself, there should be entrusted to the justices the supplementary power of dealing, in accordance with local conditions, with the various particular subject matters which were enumerated. There was nothing novel in that proposition. Prior to the Act of 1904 the justices were in the habit of dealing, by way of imposing conditions on the grant or renewal of a licence, with a considerable number of subjects which were dealt with in this subsection. It was perfectly common, for instance, to impose conditions as to the employment of children, the arrangement of the premises, access to the premises, the long pull, and various other matters connected with the use of the premises in the public interest, and having regard to local circumstances which were not the subject of enactments by the statute law of the land. Under the Act of 1904 that power of imposing conditions, as distinguished from the power or the right of the licensee voluntarily to submit to them, was taken away in this sense, that if, conditions having been imposed, the licence was revoked for non-compliance with them, the obligation to pay compensation would pass. He had himself argued a case in which it was decided, under the Act of 1904, that the justices had no right to impose conditions of this kind without, at any rate, giving the licensee the power, if his licence was revoked for non-fulfilment of them to obtain compensation from the compensation fund. But at the same time the Act of 1904 enabled the justices, quite independently of anything contained in the licensing law of the land, to impose any condition they liked in the public interest, upon the grant of a new licence. There was no single one of these sub-heads in regard to which, if he or anybody else went before the licensing magistrates for a licence, the magistrates could not require him to comply with any conditions they wished to impose. The licensing justices of Essex had actually made it a condition that barmaids should not be employed.

MR. ASHLEY asked if the right hon. Gentleman was aware that the attempt to impose this condition in Glasgow had failed in a Court of law.

MR. ASQUITH replied that they were not dealing with Glasgow or Scotland, and all he wished to say was that the licensing justices of Essex had actually imposed that condition for new licences. They were not to employ barmaids. He did not say whether the justices were right or wrong, or had acted in accordance with or in violation of public opinion, because that was not the point; but he said that the Legislature under the guidance of the right hon. Gentleman opposite—quite rightly—in 1904 did entrust the licensing justices, in regard to new licences, with powers more extensive than those proposed to be conferred upon them here with regard to renewal only. These powers were being exercised every day by the justices; they could if they pleased in the exercise of their powers require premises to which a licence was granted to be closed on polling day, make provisions as to Sunday closing, or the supply of liquor to *bona fide* travellers. What the Government were doing in this clause comprised two points. They were restoring a power which existed in regard to all licences, new or old, before 1904, and, secondly, the power expressly conferred in 1904 with regard to new licences was to apply to the renewal only. The hon. Member for Hackney had referred to the exercise of discretion by the justices. He had in his hand a paper published by the Licensed Victuallers' Central Protection Society. It had been circulated among hon. Members, and he wished to direct attention to the remarks therein made as to the constitution of the licensing authority and the substitution of some other authority for the justices. Here was the testimony of the trade to the action of the justices. [The right hon. Gentleman read an extract which stated that the members of the licensing trade had suffered many things at the hands of the present licensing authority, which could not be said to be unduly favourable to the trade, but that they believed the justices had been actuated by a sincere desire to do justice to all, and that they were satisfied that the justices performed their duties in a way to command respect, having regard to the public interest.] That was the party to whom the Government were entrusting the powers conferred by this clause. In respect of the general question, it was surely very desirable that in the administration of the licensing law, dealing as they were with a country like England, where the conditions were so complex as between urban and rural areas, there should be a certain amount of elasticity in the conditions imposed in respect of the tenure of particular licences, in particular houses, in particular places. He did not think that any temperance reformer had ever said or suggested that as to minor conditions there should be a cast-iron rule of uniformity throughout the country. Apart from the large conditions, however, it was not unreasonable that there should be given a good deal of local elasticity. When it was suggested that injustice might be done through a harsh exercise on the part of the justices of the special and supplementary powers conferred on them by this clause, he pointed out that the Government had carefully safeguarded, as far as they could, the interests affected against the possibility of injury in two ways. First, they required that, when any condition of this kind was sought to be imposed by the justices, notice should be given to the owner of the premises, who might be seriously affected in his pecuniary interests by the imposition; and, secondly, they had provided a free and unfettered right of appeal to Quarter Sessions, and open to all parties interested, in respect of any decision given by the licensing justices in regard to the imposition of conditions.

MR. AUSTEN CHAMBERLAIN (Worcestershire, E.): Is that appeal open to the owner as well as to the licensee?

MR. ASQUITH: Yes, it was open to all parties concerned. There was no possibility of what might be called a faddist Bench of justices, representing, perhaps, a small majority of their own body or of local opinion, running the risk or danger of imposing unreasonable conditions on particular licensees in a particular area, inasmuch as a right of appeal properly exercised was certainly conferred. He now wished to say a word or two by way of illustration. First of all, there was the question of the employment of women and children. He did not think any one would deny that there was a growing feeling in the country that the employment of women in public-houses was in itself an undesirable thing. Personally, he did not take a stringent view of that matter, and the Governmen had already pledged themselves on the Second Reading not to do anything to interfere with the rights of persons already in employment. He would, however, go further and say that he had satisfied himself and the Government had taken every opportunity they could to collect opinion on this matter; and they recognised the impolicy of endeavouring to legislate expressly or by delegated powers in advance of the real requirements of the case. Having regard, therefore, to the opinions that had reached the Government from all quarters, and judging by the appearance of the Notice Paper, which contained Amendments submitted from all quarters of the House in favour of the deletion of the words "women or," the Government had come to the conclusion that it was not desirable to press that proposal. He hoped that in making this announcement the Government might save a good deal of debate. He would say further also that, after careful consideration, the Government might ask the Committee to omit the whole of the Paragraph (*a*) relating to "the employment of women or children on licensed premises." In respect of women and children, the House had already passed a very stringent children's clause which would prevent the presence of children up to the age of fourteen within the bar of public-houses at any time or for any purpose. That was a very useful change in the law. In addition to that, there was also the power which the education authorities possessed to prevent the employment of children up to fourteen years in public-houses in violation of the school attendance regulations. That was a useful provision in the Employment of Children Act, 1903, passed by the late Government, under which bye-laws were made by local authorities to prevent the employment of children in public-houses at all. It was a power which was widely exercised, and the Government had come to the conclusion that on the whole the provisions of the existing law would be adequate when this Bill was passed with regard to children, while with regard to women the state of opinion which existed was such that it was not desirable to ask the House to press forward the provision. He would say nothing about the three following subsections; they were comparatively small points in regard to which the justices had been in the habit of imposing conditions. As to Sunday closing, there were two points with which he ought to deal—namely, Sunday closing and the closing of public-houses on polling days. The House agreed on Friday to a considerable restriction of the hours during which public-houses were now open on Sunday. That ought to be regarded in connection with the general law of the land; but everyone who had practical experience in this matter knew that in respect of a particular locality, whether a town or a rural area, very often there was no necessity for all the public-houses to be open on Sunday during the whole of the permitted hours. If they gave the justices credit for exercising a judicial discretion, protected as all the interests concerned were to be, as well as the granting of a right of appeal to Quarter Sessions, he thought that they might be allowed to say in regard to some of the houses, perhaps in regard to all houses in a particular area, whether it was desirable that the restrictions imposed by the general law should be further extended because there was no real demand for the use of these houses. Then as to polling days, he was delighted to hear the remarks that fell from the Leader of the Opposition on Friday. He gathered from those remarks of the right hon. Gentleman that he was in favour of closing licensed premises on polling days. If the House was unanimous, or if there were a large preponderance of voices in favour as a whole of the complete closing of public-houses as a matter of statutory enactment on polling days, assuredly the Government were only too ready to fall in with that view, and they would gladly transfer that particular provision from these discretionary powers to the compulsory law as in the restricted hours of closing on Sunday. He would tell the right hon. Gentleman why they were dealing now not only with Parliamentary elections, but with local elections also, and it was a very difficult thing—he knew that there were people who took a more stringent view—to say that at a by-election in one of the wards of a borough it should be a matter of universal enactment that the public-houses in that district should be closed. He doubted very much whether public opinion would support such a stringent and drastic restriction. [An Hon. Member: The clause deals with Parliamentary and local elections.] The clause dealt with both, and he would be perfectly happy, if it was the general opinion of the House, to take out the Parliamentary elections and put them in a clause by themselves, but he still thought in regard to local elections that it was wiser and more in accordance with the general needs and with public opinion to confine any power regarding them to the discretionary power to be exercised by the justices. He had gone into the subject matters dealt with by the clause, and the modifications he had indicated to the Committee were those which he thought it wise and respectful to state at the commencement of the debate in order to save time. He submitted to the Committee that, on the general principle, discretionary powers should be given to the justices to supplement the general law of the land in these matters.

Mr. A. J. BALFOUR said he was sure that gentlemen on that side of the House, and he hoped in other parts of the House, too, would feel that the right hon. Gentleman, having practically entirely excised some of the most controversial matters in this subsection, had really shown a most wise and statesmanlike discretion. He did not believe that the right hon. Gentleman could have carried the House, and he was sure that he could not have justified by argument all the points that might have been raised under subsection (*a*). He was certain that the right hon. Gentleman had shown, on this occasion, a true appreciation of the sense and feeling of the House, or, at all events, of that wiser part of the House which did not wish to resort to the wild course which some hon. Members on the other side of the House would try to impose upon them. The result of the right hon. Gentleman's statement was that it would be unnecessary for him to go—he would not say into detail, for the ruling of the Chairman rather discouraged that—but even in a general fashion into all the sub-heads now proposed to be left out. He did not know that the right hon. Gentleman had said anything about the *bona fide* traveller, but that seemed to him to raise a case of very great difficulty. He supposed the right hon. Gentleman would be prepared to deal with it when the Committee came to the subject.

Mr. ASQUITH: I was very anxious to hear what was to be said about that before announcing any decision. The mind of the Government is quite open to argument on that point.

Mr. A. J. BALFOUR said he was glad to hear that the right hon. Gentleman was prepared, if sufficient reason was shown, to omit that subsection also. In that case it seemed to him that all the most important matters were really excised from the clause, and the Committee were rather left face to face with the general principle on which the clause was based than any of the special details to which the right hon. Gentleman had called their attention. Even on the subject of the closing hours on the days of polling he understood that the right hon. Gentleman was quite ready to modify his views, and to a certain extent to recast his Bill. He had always had a feeling himself that at all events, so far as Parliamentary elections in great towns were concerned, it would be a wise thing to close public-houses during certain hours of the day, and to restrict the sale of intoxicating liquors. Those who had looked into the statistics on the subject had informed him, in the first place, that there was no experience to show that there was any increase of crime or violence or even excitement, due to the consumption of intoxicants, and, in the second place, that the consumption was not larger on those days than on other days. If that could be established, he supposed the main case for subsection (*g*) would fall to the ground. He confessed that his own impression would be that in the great centres of population, where excitement in certain circumstances and party feeling ran very high, it might be a prudent step to prevent an extra source of excitement of an adventitious character being added to those which the state of public opinion necessarily engendered. But that was relatively an unimportant matter, and he came now to the main scheme and contention of the right hon. Gentleman in regard to the Bill, and on that point he really must ask one or two questions. This clause was intended, so far as it went, greatly to augment the power of the licensing magistrates. The right hon. Gentleman had quoted a sentence which was understood to represent the feelings of the trade, testifying to the public spirit which the licensing magistrates had habitually shown. The right hon. Gentleman was justified in quoting that view; he would also be justified in quoting the views which he himself had expressed on previous occasions in the responsible position of a Member of the front Opposition bench when the Bill of 1904 was passing through the House. He was quite sure that if the right hon. Gentleman would look at the interesting criticisms he made on that Bill—criticisms which the House thought were couched in rather a violent tone of controversy—he would see that in those days, at all events, he by no means took the favourable view of the licensing magistrates which, either from further investigation or from experience, had been brought home so strongly to his mind, now that he was the responsible author of a great Government measure. That change of view he welcomed. He hailed it as a proof of the openness of mind which the right hon. Gentleman displayed, and it showed a great and satisfactory movement of ideas between 1904 and 1908. But there was another striking inconsistency which he did not think was so satisfactory, because it showed the inconsistency of this Bill, and it was not a movement in the right hon. Gentleman's view of public affairs—the inconsistency of the way in which he meant in this measure and in this session to deal with the question of the control of the licensing magistrates. The right hon. Gentleman, to his immense surprise, dwelt upon the great advantages of elasticity; he said that they could not have an authority more to be trusted than the licensing magistrates, and that it was an enormous advantage to deal with such persons, because by giving the magistrates their confidence they could have that variety of arrangement in different parts of the country, and that elasticity of the law in different places which, according to the view of the right hon. Gentleman, was so admirable a part of any ideal licensing system. Where was all this belief in the magistrates and in elasticity when they were discussing Clause 1? If there was a point on which he should have thought it more obvious than any other that this kind of local discretion was desirable, it was when they were dealing with the fixed statistical ratio between the number of public-houses and the amount of accommodation. Everybody knew—he did not think anybody would deny—that that fixed relation was one which could have no reference to particular circumstances. It might be right in one case, and it might be wrong in another. That was a case for elasticity, but the Government expected the magistrates to enforce it. Why the right hon. Gentleman only began to believe in elasticity when he got to Clause 20 of the Bill entirely passed his understanding. There was another curious change in the right hon. Gentleman's view during the passage of the Bill from Clause 1 to Clause 20. Now the right hon. Gentleman had joined the ranks of those who were rather afraid of the eccentric exercise of local power by temperance faddists. The right hon. Gentleman had told the Committee that if they left that power without appeal to particular benches of magistrates, there might be gross injustice involved, and preposterous interference with the liberty of the King's subjects, and, therefore, he said, they must leave it to the licensing magistrates. That was what the Unionist Party thought in 1904, and that was what they were denounced for thinking then. That was what they thought on the earlier clauses of this Bill when the right hon. Gentleman was discussing the method in which licences were to be dealt with—one taken and another left—and all the other strange provisions which disfigured the first portion of the measure. Now the Government admitted, rather late in the day, indeed, that they had to deal with the worst possibility of faddist eccentricity, and the right hon. Gentleman came forward and repeated to the Committee the very contentions which Unionists ventured respectfully to lay before the House and the public through all those months. The right hon. Gentleman had admitted that the magistrate on the local bench might do an injustice in pursuing a will o' the wisp social reform, and he had told the Committee that the proper way to control the local faddist on the bench was to give an appeal to Quarter Sessions. In fact, all the things Unionists said in 1904, which he denied, and all the things they said on the earlier clauses of this Bill, to which he turned an absolutely deaf ear, he now turned round and with an air of delightful and ingenious candour repeated to them as if he had something to teach them, and was really talking the ordinary commonplaces of Radical controversy on this particular branch of the subject. When discussing faddism among local magistrates and the wisdom of Quarter Sessions the right hon. Gentleman spoke as if he was representing the average opinion of gentlemen behind him. All that he could say was that the labours they had gone through since they began discussing Clause 1 had really not been wasted if they had resulted in such an illustrious convert as the right hon. Gentleman who was in charge of the Bill.

MR. ASQUITH said the right hon. Gentleman was a little premature in claiming him as a convert to the views of the party opposite. He was not aware that there was anything inconsistent in what he had now said, or intended to say, with the attitude taken by members of the Government toward the Bill of 1904. He was not aware that they attacked the licensing justices at that time; on the contrary, all their efforts were in the direction of maintaining unimpaired the discretion the law had always reposed in licensing justices, subject, no doubt, to appeal to Quarter Sessions. The right hon. Gentleman said the Government were now appearing or ought to be in a white sheet because they were repudiating and denouncing the opinion they professed and induced the House to adopt on Clause 1. That was not so; the right hon. Gentleman must have forgotten the provisions of Clause 1. That clause required licensing justices to reduce on-licences to the scale set forth in the first schedule. That schedule required the licensing justices to have regard to local circumstances in the parish or area, and not to apply a cast-iron system irrespective of local conditions. In introducing the Bill he mentioned such a case as where there was a large urban population at certain hours of the day, and where at certain periods there was a season with a large increase of population. In these and in all special circumstances it was declared that the principle of elasticity should be applied to the reductions. The charge made was that the Government were now allowing the right of appeal they had hitherto repudiated, but that was not the case. With regard to the statutory reductions subject to the rules for modification, there was the superior jurisdiction of the Licensing Commission. In regard to all other matters, if the right hon. Gentleman would read the language of Clause 4 he would see that the right of appeal was maintained. Administratively the justices would be under the appellate authority of the Licensing Commission, and when acting judicially they would be subject to appeal as now. The clause was perfectly consistent.

*MR. CAVE (Surrey, Kingston) said he understood the burden of the speech of his right hon. friend to be that, whereas in this clause the Government inserted and defended the absolute discretion of the justices, by Clause 1 they had taken the number of public-houses entirely out of their hands. It appeared to him that this clause had been imperfectly thought out. Take subsection (1). He could not quarrel for a moment with the tribunal to which the power was to be given. But let the Committee look at the powers to be given. Paragraph (*a*) had already been disposed of. Paragraph (*b*) provided for "the arrangement of any part of the premises open to the public." He was rather at a loss to know what that meant. Did it refer to the structure of the premises and the division of the rooms in the public-house? Because, if so, that power was fully given by Section (11) of the Act of 1902 passed by the late Government. By that section the licensing justices might require a plan of the premises to be produced before them, and to be deposited with their clerk, and in renewing any such licence they might by order direct that within a time fixed by the order such alterations as they thought reasonably necessary to secure the proper conduct of the business should be made on that part of the premises where intoxicating liquor was sold or consumed, but any such order should be subject to an appeal to Quarter Sessions. He did not see in what respect paragraph (*b*) in Clause 20 of this Bill differed from Section (11) of the Act of 1902. Then take paragraph (*c*), "any access to the premises." What did that mean? So far as regarded entrances to and exits from the licensed premises, of course, the justices had always exercised very full power indeed. He had never heard that disputed.

AN HON. MEMBER said that there was a case where it had been ruled that the justices could not close one door out of many.

*MR. CAVE said he did not think that was the effect of the decision. If it was intended to apply this power to closing doors the wording ought to be considerably altered. The word "access" was extremely vague. Then take paragraph (*d*), referring to the long pull. That seemed to him to be very unsatisfactory. It was confined to on-licences, but the mischief, if any, arose from the use of it in off-licence houses. In any case, he did not see why a man should not supply more than he was paid for if he wished to do so. What was the principle underlying that part of the clause? As regarded the paragraph (*e*) relating to Sunday closing, he had listened with great care to what the Prime Minister had said. According to the Prime Minister the object of the provision was that if in any place there were more houses than were required on Sunday, the licensing Court might order some of them to be closed; but the subsection went much further. It enabled the Court to close the whole of the houses on Sunday even during the hours when by another clause of the Bill they could remain open. That went very much beyond the needs of the case. Great inconvenience might be caused by bringing about all-round Sunday closing, and this paragraph would enable the local bench to do that. He did not think that was desirable or consistent with due regard to the needs of the public. As to the *bona fide* traveller, he must say it would be extremely inconvenient to empower any bench entirely to forbid the sale of liquor to a *bona fide* traveller. By an earlier clause of the Bill, passed on Friday, the traveller was made to travel six miles. That was quite stringent enough; but if a traveller came to a particular place where he did not know that he could get no refreshment and found that he could get none, it might cause him great hardship. He deprecated giving power to any particular bench to close all the public-houses in a district to *bona fide* travellers. With regard to paragraph (*g*), he would say nothing about Parliamentary elections at the present time, but it would be absurd to close all the public-houses during local elections. He was sorry to say that frequently very little interest was taken in such local elections. He had known many people who did not know when they were taking place. To close the whole of the houses in a ward because the polling in some insignificant local election was going on would cause considerable inconvenience. At the best the closing should not take place during the whole day but only during the polling hours. For certain purposes the polling hours were not very long, and he saw no reason why the closing should not be made only for those hours.

THE SOLICITOR-GENERAL (Sir S. EVANS, Glamorganshire, Mid.) said that that was provided for in the subsection.

MR. CAVE said that the power should be confined to the polling hours. On each of the subsections some objection might be made and he hoped the matter would be reconsidered, and, if necessary, the whole clause recast.

*MR. HELME (Lancashire, Lancaster) thought it very desirable in approaching the general question of temperance reform, that provision should be made for certain restrictions to be left to the local magistrates when public opinion might not justify a statutory enactment. With regard to the clause now before the Committee, he was sure that the country generally, so far as he could appreciate public opinion, would welcome the proposal recently made by the Prime Minister, that he would be very glad on a definite expression of opinion by the House, to deal with the question of closing public-houses on the day when Parliamentary elections were held. In doing so he was sure the right hon. Gentleman would find a very large measure of support. It was very satisfactory to have had the approval of the right hon. Gentleman the Leader of the Opposition. He hoped the suggestion would be further generally supported so that they might have a statutory enactment in that direction brought about. As to Sunday closing, of course that was a matter which, in some cases, required careful consideration. He would support a measure for the statutory closing of public-houses on Sunday, but he recognised that if that could not be done, it was highly desirable that power should be given to the magistrates to do so in certain circumstances and places. As to the supply to *bona fide* travellers, that was a case that ought to be given into the control of the local bench. In his own constituency they had an important watering-place from which large numbers of visitors drove into the country on Sundays, and it had been made a ground of complaint to the magistrates that these visitors adopted boisterous and noisy methods when taking their refreshment, and so the peace and comfort of whole villages were at times thus destroyed. Therefore, while some provision should be made for *bona fide* travellers, consideration should be given by the restriction of hours to the general quiet of the villages. They were considering, under this clause, giving the magistrates power to attach to the renewal of licences conditions in respect of certain matters mentioned in the various sub-heads, and it was possible for the Committee to increase the number of them. In this connection might he mention a conversation which he had last year with a licensed victualler on the subject of promoting temperance? The licensed victualler said he understood that the Government would be bringing in a Bill to deal with the drink question, and if they desired to enact a real measure of temperance, they should take his advice. He (the hon. Member) replied that if the publican would tell him what it was he would pass it on to the Home Secretary, so he wrote him recommending that public-houses should not be allowed to open at six o'clock in the morning, but should be kept closed till eight o'clock. If that were done it would prevent a very large amount of drunkenness which came about now, owing to the fact that men having had too much the night before, left home in the morning with the best intentions of going to work, and, although they might pass one or two public-houses, they failed to go by the third and went in. Then their case was hopeless; their good intentions vanished, and they too often stayed in the public-house for the rest of the day. One of his hon. friends had an Amendment, and he himself had put down a new clause to secure this restriction.

*THE CHAIRMAN thought they should wait for the Amendment on the subject before discussing it.

*MR. HELME bowed to the Chairman's ruling, but said he heard with very great pleasure the answer given by the Home Secretary the other day in which he said that this matter of the extension of the hours of closing in the morning might well be discussed in the House. He welcomed that reply, and hoped they might be able to strengthen the hands of the Government in trying to bring about some regulation such as was indicated in the Amendments which had been put down, and which he hoped there might be time to consider and secure the approval of the Government.

*MR. BARNARD (Kidderminster) was glad that the section was drawn upon the lines that it was, and thought it would be a very good thing indeed if in some other portions of the Bill greater discretion were given to those in the localities who were acquainted with the characteristics of the neighbourhood, upon the lines which were set out there. It appeared to him that no one had any great right to find fault with this discretion. What did it amount to? It simply meant that the licensing justices might attach certain conditions if the necessity arose, but it in no way, or in any shape or form, bound them. It in no way forced argument. The principle of sub-head (*a*), "the employment of women or children," had been dealt with, and there could be no objection to sub-head (*b*) which had reference to the arrangements of any part of the premises open to the public. Then as to sub-head (*c*), "any access to the premises," he had always understood that after the 1902 Act the magistrates had some discretion or other in connection with that, though perhaps it was desired that it should be extended. Coming to the sub-head dealing with the "long pull," he for his part distinctly welcomed the proposal of the Government, as he thought it was a very good thing. If they consulted year by year the Reports of nearly all the Chief Constables of the boroughs of this country to the licensing magistrates, it would be found that they had put their views very strongly in connection with this matter. He did not want to repeat many rather stale and worn-out facts in connection with the matter, but it was sufficient to say that this very subject of the "long pull" had been the course of a disagreeable scandal on more than one occasion. Coming to the question of prohibition on Sunday, for his part he should have supposed that what was done on the preceding Friday would have been entirely sufficient, but personally he would sooner that the locality had the control, and if that was decided he should not fight against it. He would like to make a point about the *bona fide* traveller. He took it that if the House laid down the principle of what they meant to enact, that must not be dealt with unfairly, and if it was exceeded, it was best that the magistrates should have the power to put their foot down when they found people were artificially evading the law. As to the last sub-head, the closing of licensed premises on election day, whether it was Parliamentary or local, for his part he had no hesitation whatever in expressing the most decisive view, whether it was left to the locality or Parliament itself settled it, that this provision in some form or another should meet with very hearty support. He listened with satisfaction to the Leader of the Opposition when he spoke about the large boroughs. He himself knew something about the small boroughs, and for reasons quite apart from intoxication he was certain it was advisable in many directions to which he did not want further to refer unless he was forced, and would be strongly beneficial. One of the speakers—he thought it was the hon. Member for South Hackney—referring to the quantity of liquor sold on election day, said there was not much more. He happened personally to have had an opportunity within the last week of getting some knowledge upon that subject, which he thought would bear repetition. He was a member of a compensation authority and on arriving at a decision in regard to a number of public-houses in his county reported for suppression, adopting the general ideas of the Kennedy judgment, he found that on an average of years, one year was distinctly and most marvellously in every case different in quantity from every other year. He asked how it was, and finally it appeared that that year included a general election, and most people seemed to acknowledge that it accounted for the rise in the average to which he had alluded. He would like also to say, in connection with this clause, that when the Bill first came out, the licensed victuallers in his constituency asked him to meet them. He did so, and they went over the Bill carefully. He pointed out as well as he was able that it was quite absurd for them to claim that their trade was immune from legislation. After a time they came to this particular section, and the conclusion which the committee of the Licensed Victuallers Association published was that, having given careful consideration to the permissive clauses of the Bill, which gave to the local justices discretion to impose novel conditions affecting the employment of barmaids, the sale of liquor on Sundays, and other minor matters, they thought that public opinion had exaggerated these features, but at the same time they acknowledged that circumstances might arise requiring the action of those provisions in Part III. of the Bill. The Committee did not therefore quarrel with this part of the Bill, but thought that it might be safely left to the local justices to deal with the particular cases in each individual area as they arose. They were ready when the case was fairly put to them to realise that they, like other trades, must be controlled, and they quite realised that no one was better qualified to know what control was suitable than their own local justices, who were familiar with the surroundings. He for his part, therefore, welcomed very much the general effect which this Clause 20 placed before this House.

MR. STUART WORTLEY (Sheffield, Hallam) said that subsection (1) of this clause, which it was proposed to leave out, had, he thought, two principles. One was that certain questions, partly of temperance and partly of public order, should be left to local discretion. The second principle was that the licensing justices were the proper persons to exercise that local discretion, and to decide whether this particular experiment should be made or not. In his opinion, and probably in the opinion of many other persons, the licensing justices were not the proper or best persons to exercise that discretion. He was able to leave out of sight the question of subsection (*f*), because the Government had practically thrown that over, and he did not propose to enlarge upon subsection (*e*), because he understood that their intention was that there should be a partial application given to the principle of the Sunday Closing clause; but he rose to say that he thought that the local licensing justices were the most inappropriate authority to exercise discretion under subsection (*g*), which dealt with the closing of public-houses at Parliamentary elections. This, if it was brought into operation at all by anything but a general statute, would be a local legislative experiment, and it was showing great disrespect for the great municipalities, at any rate in the large cities, where the population had important bodies representing them, to give those bodies the go-by, and say that it was for their good that during Parliamentary elections the whole of the public-houses should be closed, and that this should be applied by a paternal and corrective authority composed of persons who must be less in contact with local public opinion than the municipality itself. He was sorry that this want of respect for the municipal idea in an important question of local legislation should be manifested on the Treasury Bench. It was only necessary to add further that if there was to be a closing of public-houses during Parliamentary elections it ought not to be done sporadically, or in a haphazard manner, in dealing with old licences when they came up for renewal; it ought to be done in the whole locality, and the only persons who were competent to do that were the elected authority.

SIR S. EVANS said, with reference to the closing of public-houses by the local licensing bench on days when Parliamentary elections were being held, it was already done in the county of Monmouth with, he believed, the universal consent of the public. The right hon. Gentleman opposite would observe that all the conditions laid down in this clause were laid down in the public interest. With regard to new licences, it was thought that any conditions which were in the public interest might be imposed by the local licensing justices. With regard to subhead (*b*), the hon. and learned Member for Kingston seemed to think that the whole of the matter with which that subsection dealt was provided for by the Act of 1902. That was not quite so, because if the hon. Member would refresh his memory by referring to that Act he would see that whereas under the Act of 1902 the licensing justices could only order alterations in that part of the premises where intoxicating liquors were sold or consumed, the Government now suggested that the justices should have the right to impose conditions with regard to any part of the house if they thought it was in the public interest. The reason why the Government thought it right that the licensing justices should have a right to impose conditions under sub-head (*c*) was the question of police supervision. That subsection was intended to deal with such things as doors leading into passages, and so on. There had been a decision by the Court of Appeal which showed how necessary it was to give the justices discretion in matters of this kind. In that case the licensed premises had an access to a different street through a passage, and the justices made an order, which they thought they had a right to do, that one of the doors should be kept locked and not used except for domestic purposes. They had no objection to the door being open except for the purposes of obtaining drink, but the Court of Appeal said that the provisions of the Act of 1902 only referred to structural alterations, and they did not think it was desirable that the justices should impose these conditions. The Government thought it was desirable for the justices to have power of this kind, and, therefore, had inserted the sub-clause. With regard to what had been said by the right hon. Member for Sheffield, he could only repeat what had been said by the Prime Minister earlier in the day, that if it should be the general sense of the House that there should be a general law dealing with the closing of public-houses, either all the day, or for a part of the day, upon which an election was taking place, the Government would be very pleased to take out sub-head (*g*) and deal with the matter in the form of a new clause.

MR. ASHLEY thanked the Government for the concession they had made in allowing women to continue to earn their living in licensed houses. That concession had not only removed the stigma which had been placed upon them by the subsection, but it also allowed them to earn their living.

*MR. ADKINS (Lancashire, Middleton) expressed his gratitude to the Government for putting the clause in the Bill. It seemed to him that the discretion of the magistrates, safeguarded by the appeal, should extend to all the immediate surroundings, such as alleys, passages, etc., by which public-houses were approached. He urged the Government to give weight to the remarks of the hon. and learned Member for Kingston with regard to subsection (*f*). When they were dealing with restrictions on the question of the *bona fide* traveller, they were dealing with circumstances which were not local in their character, inasmuch as they referred to persons who were going from one locality to another. Every customer ought to have something like uniformity of treatment in going about the country. Travellers by rapid method might perhaps be treated differently from those who had only their own feet to walk upon. But this could not be dealt with as a local matter, and he hoped the Government would see their way not to press this part of the subsection. With regard to closing on election days, he hoped it would not be confined to large boroughs, or even small boroughs, but extended to all districts, urban or rural, where a Parliamentary election was proceeding. Local elections, if dealt with at all, might be dealt with by the local licensing authorities. No doubt, however, the variation in practice would ultimately mean that some uniform legislation would be applied to the whole country.

MR. GIBBS (Bristol, W.) thought that if licensing justices were allowed to impose these conditions when renewing or granting licences they would be able to deal with the licence-holders exactly as they pleased. They would be able practically to make new laws, which if broken would entail heavy penalties on conviction. Whether the licence-holder was convicted or not, when he came to ask for a renewal of his licence it would be refused, and he would obtain no compensation even though the bench had dismissed the charge which had been brought against him. Those laws would vary according to the fancy of the particular bench of justices who formulated them. What chance would a licence-holder have with a bench of fanatical teetotalers? They would make the conditions so stringent that he would be unable to conduct his business, and he would probably be ruined. These regulations, if made at all, should be made by Parliament. In many cases it would be extremely hard on the justices themselves. In many cases they knew the men who came up for the renewal of their licences; and it would be a very invidious thing for them to have to say whether the licences should be renewed or not. If these powers were given to the justices they might demand some alteration of the premises every year; and it was almost impossible for a man who had put his capital into the business continually to alter his premises to suit the fancy of the licensing justices. He did not think this section had been thoroughly thought out, otherwise the Government would not have put these powers into the hands of the justices. Under this section it would be possible for the justices to say which house should remain open—they were only to be open for three hours—and it was conceivable that a traveller coming six miles would not know which house was open, and would wander all over the town seeking refreshment. The regulation closing houses on election days ought also to be made by Parliament.

MR. VERNEY (Buckinghamshire, N.) called attention to what he believed to be a mistake on the part of the hon. Member for Kingston in speaking of subsections (*e*) and (*g*) as if they were the same. There was a very strong contrast in the language of those subsections. Under subsection (*g*) the houses must be closed, but under subsection (*e*) they could be used as a tea shop during the closed hours, and need not be closed. Many Members of the House would not mind public-houses being open for that purpose; in fact, they would like to see them used as tea and coffee shops and refreshment houses where non-intoxicants were sold. Having regard to the contrast in the language of the two subsections, it was wrong to jump at the conclusion that they were practically the same. The words were quite different, and the meaning was quite different. There was a very important distinction to be drawn as between these two subsections—a distinction which he hoped they would deal with in detail when they came to the subsections themselves.

MR. ARTHUR HENDERSON (Durham, Barnard Castle) said that they on the Labour Benches welcomed very strongly the statement on behalf of the Government that they proposed to make the main part of subsection (*g*) statutory. But he had risen more particularly, if he was not transgressing the ruling of the Chair, to refer to something that was not contained in these various sections. There were several Amendments down which, if reached, would add an additional subsection, giving the licensing justices power to shorten the hours during other days of the week, or, at any rate, to prevent houses from being opened so early as they now were on week days. Those who were especially connected with the working classes knew that there was no greater evil than the opening of public-houses at five minutes to six in the morning. He was in a position to say, from his sixteen years connection with the engineering trade on Tyneside, that there was more mischief done by public-houses in the five minutes before six in the morning than was done at any other hour of the day. The house might be just outside the gates of the works. Many of the men, especially on a Monday morning, entered it at five minutes before six o'clock, and it led to their losing two hours of the morning up to 8.30, the time to start after breakfast. In many instances the men could not start then, and this led to their losing the whole of Monday. This system of opening at five minutes to six had grown to such an extent, that in order to sell as much liquor as possible in the five minutes, the practice was adopted in many public-houses situate outside works of having scores and hundreds of glasses filled in readiness for the men to seize and drink off before starting work. He appealed to the Government to see whether they could not at a later stage put in another subsection giving the licensing justices power to prohibit houses being opened at so early an hour of the morning, especially where they were opened as a means of tempting the men, thus affecting the interests both of employer and employed, because this early drinking seriously interfered with the standard of production so far as the individual was concerned.

SIR S. EVANS said he would not be in order in discussing on this particular Amendment the point raised by the hon. Member for Barnard Castle, because the subject to which it referred was not included in the subheads which they were discussing. It had been brought to the attention of the Government that the evil did exist, certainly in some of the localities such as that described by the hon. Gentleman, and if it was to be dealt with, he thought it might be done by the justices as being distinctly a local matter. The observations which the hon. Gentleman had made had impressed him, and certainly the matter would be carefully considered before the Report stage. If he might, he would invite the hon. Member himself to frame an Amendment and put it down in his own name for the Report stage.

*MR. G. D. FABER (York) said the Prime Minister in his speech had called attention to the fact that by the Act of 1904, passed by a Conservative Government, it was laid down that the justices, on granting a new licence, might attach any conditions to it they chose. Up to a certain point the Prime Minister was entitled to argue that this Bill did not go further than the Act of 1904. But the first criticism that arose was that the Act of 1904 was only dealing with new licences, whereas this Bill was dealing with licences already in existence, and if they imposed such conditions on old licences, then

the licence-holders would have a perfect right to feel greatly aggrieved. Secondly, he did not think that the Act of 1904, in imposing conditions as to new licences, ever contemplated the drastic penalties imposed by this Bill. A breach of the conditions laid down carried with it under this Bill not only the loss of the licence, but loss of compensation. He could not enter into the minds of those who framed the Act of 1904, but he saw nothing in it to show that such consequences were intended to be or would be incurred by any breach of the conditions of that Act. He desired to call attention to another point, because he might not have an opportunity of doing so later. Subsection (*a*) was to disappear from the Bill in consequence of the announcement made by the Prime Minister. In subsection (*a*) occurred the words "licensed premises." He was rather inclined to think that the Committee might have lost sight of the fact that the interpretation of "licensed premises" given by the Bill was very wide. If they looked at Schedule 2 they would see that licensed premises included public gardens, picture galleries, exhibitions, places of public or private entertainment, hotels, railway refreshment rooms, *bona fide* restaurants or eating-houses, etc. With subsection (*a*) the prohibition of the employment of women and children had gone out of the Bill, but the words "licensed premises," were to be interpreted——

THE DEPUTY-CHAIRMAN said the hon. Member could not discuss subsection (*a*), which had gone.

*MR. G. D. FABER said the words "the premises" in subsection (*b*) evidently referred to the "licensed premises" in the previous subsection, and therefore meant "licensed premises." Did the "arrangement of any part of the premises" mean the arrangement of any part of a picture gallery exhibition, or place of public or private entertainment, because "licensed premises" clearly were not confined to public-houses? They were accustomed to regard "licensed premises" as meaning merely public-houses, but he thought he had made it clear from the schedule that the words had a far wider meaning under this Bill. It opened up a very alarming prospect when they learned that the words "licensed premises" were to have an extended signification of this kind. With regard to the sub-head of the clause enabling the prohibition of the sale of liquor during the whole of Sunday, it seemed to him somewhat curious that only on Friday last the House should have passed a clause laying down that licensed houses in this country should be open three hours on Sundays——

THE DEPUTY-CHAIRMAN pointed out that there were other Amendments to leave out certain words.

*MR. G. D. FABER said that every preceding speaker had been allowed to touch on the sub-heads generally.

THE DEPUTY-CHAIRMAN said the hon. Gentleman was going too much into detail on an Amendment which was coming up.

MR. G. D. FABER said every Member who had addressed the Committee had been allowed to lay special stress on the sub-head he thought important. It was curious that on Friday the Prime Minister should have stated that it was necessary that public-houses should be open on Sunday for as many hours as there was a large body of public opinion to support, and now, only three days later, the Government should be engaged in putting forward a proposal that the licensing justices should have the power to close public-houses on Sunday altogether. That was a very speedy departure from three hours the Prime Minister considered necessary on Friday.

THE DEPUTY-CHAIRMAN said the only question before the Committee was whether discretion should be allowed to the magistrates on the subject-matters referred to in the subsection. The hon. Member was going into detail on these subject-matters. He could only refer to the subject-matters generally.

*MR. G. D. FABER said he was not going into detail on this particular matter. There was one other point. He could understand, though he was entirely opposed to, the licensing justices having the power of Sunday closing over the whole of their licensing district, but the provision here was a very different one. They might attach many onerous conditions to the renewal of any particular licence. That to his mind gave rise to the greatest doubt whether they were not putting a power of unfair preference into their hands. They might have a prejudice against some particular house, and oblige it to shut on Sunday while the other houses in the area were allowed to open. If that was the effect of the section, he preferred that if such matters were to be dealt with at all it should be done by Act of Parliament. But instead of that they were leaving large powers to the licensing justices, not necessarily to be used with an even hand over the whole district but applied to one or more particular houses according to caprice.

*MR. HERBERT (Buckinghamshire, Wycombe) hoped the Government would see fit not to leave it in the discretion of the justices but to make compulsory the closing of licensed premises on polling days, at any rate in Parliamentary elections, all day. The Leader of the Opposition seemed to say that this might be desirable in large boroughs, but in his view it was quite as necessary in country distrcts. If the matter was left to the justices many difficulties might arise, because the justices, probably to some extent, represented the feeling of their locality, and the result of leaving it to them would be that in the most corrupt and most drunken districts public-houses would not be closed, while in those in which it was not so necessary, closing orders would be likely to be made. He believed it was common ground in all parts of the House that it was desirable to close public-houses on election days in order that the electors might bring a sober and quiet judgment to bear on the consideration of the matters submitted to them. Unfortunately, the influence of the public-house had increased, and was increasing, in elections, and it ought to be diminished. Unfortunately, even under some of the provisions of the Bill which they had passed, there seemed a probability that the influence of the public-house in elections would increase, because if they were to have local veto applicable to existing licences at the end of the reduction period instead of making the publican's interest merely the general interest of his trade, they would say to every man: "The existence of your own personal business depends upon your forming a party and upon the electoral activity which you can stir up". Therefore, it would be necessary for him to take in future a still more active part in elections. Hence, if they were to counter that and do what he believed to be a most desirable thing in connection with temperance reform, which he thought Members in every part of the House who were impressed with the danger of the appeal to indirect motives in elections would support, viz., get the public-house out of politics—it would be necessary to have a universal closing order, at any rate, during Parliamentary elections. There was another aspect of the question to which he desired to draw attention. Justices were very frequently candidates as well in Parliamentary or local government elections, and if they were going to leave this as a test question which might be put to a justice when he was a candidate they were going very seriously to interfere with the possibility of justices exercising true judicial discretion. This was no mere fanciful idea, because he had experienced it in his capacity as a justice in his own constituency. He very seldom sat for that very reason, that he did not feel that he could exercise a truly judicial discretion in adjudicating upon cases arising between his own constituents. If he were to mete out in some cases the punishment which he thought judicially they ought to receive, there was always at the back of his mind the consideration how it was going to affect his electoral prospects. He acknowledged it freely, and he did not feel that if he sat he could properly do his duty as a justice in his own constituency. He, therefore, strongly impressed upon the Prime Minister that they should make compulsory the closing of licensed premises during the whole day, at any rate in Parliamentary elections.

Mr. WALTER LONG (Dublin, S.) did not share the hon. Member's views in regard to the difficulty of administering justice. He had been a justice for more than thirty years, and he could safely say he had never, whatever his shortcomings had been, found the prospects of his election in any way interfere with the administration of justice on the bench.

Mr. HERBERT: May I ask if the right hon. Gentleman has been acting as a justice in the constituency for which he was a Member?

Mr. WALTER LONG said he had sat in a variety of constituencies, and by degrees he had steadily gone further and further from home each time, but during the early years of his career, a great many years ago, he had sat for his own county, which included the area in which he sat as a justice. He thought the hon. Member had not fought so many elections as he had, and had taken an exaggerated view of the effect on one's Parliamentary career of what one did in one's every day life. He had risen, however, to give expression to the difficulty in which he found himself. There had been a general expression of opinion that if anything was to be done in regard to closing public-houses during elections, it should be done by the House, and not be left to the justices. If any change in the law were to be made necessitating the closing of public-houses on election days, he would certainly be in favour of its being made by the House of Commons and not at the discretion of the licensing justices. But he was opposed to any such change being made. He had fought nine contested elections, some in towns and some in the country, so that he had had a varied experience. He had not heard any hon. Member who had defended this sudden change adduce any evidence in its support except of a very general kind. They were told that it was desirable that public-houses should be closed on election day in order that they should take no part in the elections, but if public-houses had the power at election times which hon. Gentlemen opposite seemed to think, they would not lose that power by being closed. The only result would be to drive the publican, who would have no business to occupy his attention, into electioneering outside for whatever party he might belong to. But if the public-house was a power in elections was not the temperance hotel also a power in elections? Opinions varied. Sometimes they were told the publican was an agent for the party to which he belonged, and sometimes they were told they only had the brewers on their side. Hon. Gentlemen changed their views according to the particular topic under discussion, but, on the whole, he thought they were entitled to credit the Opposition with the support of the publicans. No doubt a great many temperance hotels had been occupied by gentlemen whose views were the same as his, and if they were going to close one they ought to close the other unless it could be shown that there was an increase of drunkenness as a result of the election. The Leader of the Opposition had carefully said he was informed that there was no evidence to show that the opening of public-houses led to an increase of drunkenness or crime, that there was even much increase in the consumption of liquor, and no one had offered an answer to either of these suggestions. The House generally had expressed a desire that public-houses should be closed. He did not know exactly how they stood. Was it proposed to withdraw subsection (*g*) when they came to it, and table a new one? If so, he suggested that they should have the language of the new subsection in their hands. It was evident that the subsection as it stood would not lend itself to the alteration the Government desired to make. The suggestion came from the Prime Minister only a few minutes ago, and no language had been suggested in substitution of subsection (*g*). It was asking a great deal to invite the Committee to decide, in two or three hours, a question vitally affecting the people in many parts of the country. It had been said that this provision should be applied also to rural districts, because public-houses there had a greater influence on the election. He did not think there was any justification for that assertion. It was a most unfair charge to make, not only against the publicans, but also against the people, to say that on election days they made such use of public-houses that they were not fit to give their votes calmly and judiciously. A change of this kind ought not to be made without some information being given in support of it, and more time allowed to discuss it than was possible at this stage of the Bill. He invited the Government to tell the Committee what procedure they proposed to adopt.

SIR S. EVANS said that when they came to sub-head (*g*) would be the time to take the general sense of the House in regard to what should be done. So far as altering the clause was concerned, if it was decided to make the law as to the closing of licensed premises on the day of a Parliamentary election a general law, it could not be done in this clause which dealt only with the discretion of local justices under certain conditions, but as a preparation for the new clause it would, of course, be necessary to omit the words "Parliamentary or."

SIR F. BANBURY understood that the result of closing public-houses during the whole of the election day would be to close restaurants as well. He would remind the Committee that at the last election at Peckham there were only two convictions for drunkenness, and they were both women who did not reside in the borough.

*MR. HERBERT said his suggestion was that they should only be closed for the sale of intoxicating liquors, and that this should not apply to *bona fide* hotels and eating houses.

SIR F. BANBURY said that in the country there were many public-houses in villages where there were no polling booths, and it would be hard to close a house in any particular village under those circumstances. The first three lines of the clause provided—

> "Licensing magistrates may attach to the renewal of an on-licence any condition which they think fit to attach in respect of any of the following matters."

He did not think sufficient importance had been attached to those particular words. Two questions arose. In the first place, were the licensing justices the proper authority, and what right had they to impose any conditions at all, such as those which were set forth in the subclauses? The Act of 1904 gave a freehold to the brewer and the publican—at least that was the contention of hon. Gentlemen opposite, and it was stated by them over and over again. It had been provided in this Bill that that freehold should only be for fourteen years, and in addition to that they were attaching all those conditions to the renewal of the old on-licences. In regard to the new licences they could attach any conditions, and no one could object, because they knew the conditions before taking up the licence; but when a man or his predecessors had been in the enjoyment of a licence for forty, fifty, or sixty years they were now proposing at the end of fourteen years to impose upon him all sorts of conditions, or else his licence would be taken away without any compensation. It almost passed the wit of man to understand why such a proposal should be made. He could not conceive that even the present House of Commons, which was returned on a day when public-houses were open, would pass such a clause as that, which was against the whole principle of English law. Were the licensing justices the proper people to decide? He was rather doubtful on the point. He was very much struck by the speech of the Leader of the Opposition, who pointed out the extraordinary change which had come over the Government in their ideas on this question. His right hon. friend had pointed out that earlier in the Bill the licensing justices were not to be considered at all in these matters, whilst under this clause they were to have a very wide discretion. The Prime Minister made a very poor answer to the speech of his right hon. friend, and replied that there was an appeal in every case. It was only a few days ago that the Committee was told that the Licensing Commission did not exercise judicial functions. He thanked the Government for leaving out the barmaids clause. He thought the other clauses were equally bad, and he asked the Solicitor-General to consider whether it would not be wiser to leave out this clause altogether, and let them go home to spend a pleasant evening.

*Mr. BOULTON (Huntingdonshire, Ramsey) said he was disappointed with the Prime Minister's statement in regard to the provision about barmaids which, in his view, ought to have been made compulsory. He would like to see all public-houses through-out the country closed on Sunday. He would remind the hon. Baronet the Member for the City of London that the provision dealing with Sunday only applied to the sale of intoxicating liquor.

Sir F. BANBURY: If I take luncheon I like to have something to drink with it.

*Mr. BOULTON said that with regard to the employment of barmaids and the closing of public-houses on Sunday, perhaps he had a transatlantic prejudice. Throughout Canada and the United States they did not find any barmaids, nor did they find public-houses open on Sunday. Public opinion in America had been educated up to that point, and they would not tolerate there the presence of women in or behind a public-house bar. He hoped the Government would not take out the clause dealing with barmaids.

Mr. AUSTEN CHAMBERLAIN (Worcestershire, E.) said he rose to repeat a question which had been asked in earlier debates on the Bill, and to which no answer had yet been given. Why had the Government confined the provisions of this subsection to on-licences? His hon. and learned friend the Member for Kingston, who had wide experience in licensing matters, had stated that what was ordinarily known as the "long pull," with which this subsection was intended to deal, existed in regard to off-licences, and not to on-licences. He knew that there was a great deal of difference of opinion on the subject of the long pull. Some benches of magistrates had strong opinions on it; but he could not understand why the difference between a little more and a little less should be regarded as a question of great importance. His experience in licensing laws was not great, and there might be reasons which the Government had to offer on behalf of their proposal. If the proposal was good for an on-licence, why was it not good for an off-licence? He did not think any case whatever had been made for the insertion of subsection (*d*). But if inserted why should it refer only to the cases of on-licences? He wished to ask another question which he thought equally pertinent when dealing with on-licences. He noticed that power was to be given to close premises with on-licences on Parliamentary election days. Again, he did not think that any case had been made out for that. If on-licences were to be treated in that way, why stop there? An out-voter coming into a constituency on an election day would want to get a meal, and if he went into a restaurant he would find that for that one day the licence-holder was deprived of the right to sell him any alcohol, but the restaurant-keeper could send round to the grocer and buy a bottle of beer for his customer. In fact, persons who could not go to public-houses could go to licence-holders in grocers' shops. The change which the Government proposed instead of being a remedy would only be the means of driving the disease underground, and thus making it worse than it was at present.

SIR S. EVANS said that the whole of the clause was framed so as to deal with on-licences. If there was to be any alteration at all it could hardly be made in that clause. If the right hon. Gentleman could satisfy the Committee that the evil existed with regard to off-licences, it would be taken into consideration. It did not appear that the clause should be extended to off-licences.

VISCOUNT CASTLEREAGH (Maidstone) said there were three pages of Amendments on the Paper to be disposed of before subsection (*g*) could be reached, and, therefore, with the guillotine falling at half-past ten, there was little likelihood of the Committee having an opportunity of discussing that subsection. He welcomed very much the action the Prime Minister had taken in deleting from the Bill subsection (*a*), though he would far sooner that the right hon. Gentleman had gone a little further and deleted the subsection with which they were now dealing. He held that the matters dealt with in this clause were nearly all matters of principle in regard to which the law should be laid down by the Government in the Bill, and not left to the discretion of the justices in the different areas to decide. He had nothing to say against local justices, but it was obvious that if matters were left to their discretion there would be in all parts of the country a great lack of uniformity. He should have thought that, if it was the object of the authors of the Bill to promote the interests of temperance, it would be far better that there should be uniformity. As to closing public-houses on days of Parliamentary elections, he was opposed to such restrictions. He thought a very curious situation would arise if the proposal were carried out. They appealed to the electors and asked them to decide on such great questions as free trade *versus* protection, and on the momentous question of the management of the affairs of Ireland by the British Parliament, and yet on election days they were not to be allowed to manage themselves. They said they could trust the people with looking after the interests of this great Empire but could not trust them to give a correct decision in electing a Member of Parliament if they were allowed the latitude of going into a public-house on polling day. He thought that was a very extraordinary position for hon. Gentlemen on the other side of the House, who had been returned to power by a large majority, to take up.

MR. G. A. HARDY (Suffolk, Stowmarket) said it had been stated that no case had been made out why public-houses should be closed on polling days; and the hon. Baronet the Member for the City of London had quoted Peckham as a paradise where only two people were put in prison for getting drunk on the polling day at the bye-election for that constituency. As one who visited Peckham on the polling day, he could only say that it was a pandemonium of drunkenness. [OPPOSITION Cries of "Oh!"] He was there the whole time on that particular night and he could give an illustration. He asked five people the way to a certain place and four of them were so drunk that they could not tell him; the fifth was a postman, who was able to tell him the way. The public houses were filled to repletion.

*THE CHAIRMAN: Order, order. The hon. Member is wide of the Amendment before the Committee.

Mr. G. A. HARDY said he would not continue that argument. He cordially hoped the Government in some way or other would enable the public-houses to be closed on polling day, because that would prevent them being used as committee rooms, as they had been on many occasions.

*Mr. H. H. MARKS (Kent, Thanet) said he was not at all disposed to undervalue the concessions which the Prime Minister had made on this clause with reference to the employment of barmaids; but he would point out that there remained in the clause sufficient elements of mischief to cause great inconvenience to the public and great injury to property. He would invite the particular attention of the Committee to one point. If this clause was to pass even after the concessions made, the effect would be that the local justices would have conferred upon them unlimited and unqualified discretion to prevent the sale of liquor on licensed premises at any time during Sunday. That discretion would apply not only to houses which were maintained exclusively for the sale of liquor, but equally to houses in which the licence was only an auxiliary—to hotels and restaurants throughout the country. The exercise of such a discretion would inevitably entail heavy loss, and in some cases actual ruin on a number of great enterprises in which the public of all classes had invested their capital. The case would be particularly hard on the hotels and restaurants and eating houses at the sea-side and at riverside places of recreation, where at the present time toilers seeking repose on Sundays were accustomed to resort. In that respect the Government were taking away with one hand what they had already given with the other. The Government had recognised that there was a class of places where people resorted for the purpose of recreation, and they had recognised that those places were entitled to special treatment. That was recognised in Schedule 1, paragraph 3, where it was provided that the apportionment of licences in respect to population was not to apply to places of resort for recreation. That was a very generous, wise and creditable concession; but what was the use of making that concession if the holders of the increased licences which would be secured by it were not to be permitted to carry on their trade on the one day in the week when the greatest number of visitors were present? Sunday was the favourite day for visits to the river or seaside. It was inevitable that it should continue so. It was the day when the demand for refreshments was greatest, and it was intolerable that licensed victuallers at pleasure resorts should be prevented from supplying them. In the interest of the important sea-side places which he represented, he should support the Motion for the exclusion of the clause.

Sir E. CARSON (Dublin University) asked whether the Prime Minister proposed to strike out paragraph (*g*). It was quite possible that they would not come to that sub-clause that night, and they on that side of the House would like to know if they did not reach it, were the Government going to move an Amendment to strike it out.

Mr. ASQUITH said he would be quite prepared, on the assumption that the Committee was willing to accept as a substantive clause a universal regulation with regard to the closing of public-houses on Parliamentary polling days, to bring up a new clause for the purpose. That would be accomplished by deleting the words "Parliamentary or" from this clause, and confining it strictly to local elections in regard to which it would not be desirable to have a universal rule. He was much encouraged in his assumption by the speech of the Leader of the Opposition last Friday. That speech, he was bound to say, was somewhat qualified in the course of the right hon. Gentleman's remarks that day, although he understood he had since completely dissented from two of his colleagues on that bench. But that did not affect his opinion that there was a general feeling in the Committee that this should be a matter of general enactment so far as Parliamentary polling days were concerned, and not be left to the discretion of particular justices. The Government were prepared to act on that.

SIR E. CARSON said he then understood that that evening the Government would move an Amendment leaving out the words "Parliamentary or." He quite agreed that the best way was to bring up a new clause and they might then have an opportunity of discussing the question.

MR. ASQUITH said that the new clause would be brought up on Report. He would take care that an opportunity was then given for discussion, but if under the operation of the closure he could delete "Parliamentary or" he would do so that night.

MR. AUSTEN CHAMBERLAIN asked whether the right hon. Gentleman intended that the new clause dealing with Parliamentary elections should apply to off-licences as well as to on-licences.

MR. ASQUITH said he should like to give a good deal more consideration to that before he gave an answer, because the same considerations did not apply to off-licences as to on-licences.

MR. HEMMERDE (Denbighshire, E.) said that as a matter of fact the evil from keeping premises with on-licences open on polling days was very real, and it was clear to anyone who had followed the cases that there was one reason why they should differentiate between on-licences and off-licences. There was always a difficulty in proving treating in on-licence houses or that a man had bought drink to distribute among voters; but he did not believe that that difficulty would arise in any way with off-licences. The Government would, he thought, cover the whole ground in dealing with on-licences. The hon. Member for Maidstone had said that the Government in dealing with a matter like this showed that they did not trust the people, but the Government were determined that the votes of a few people about the country who could be influenced by such considerations should not be allowed to interfere with the opinion of a large majority who would not be so influenced. The Government were right in making this provision and in taking the discretion out of the hands of the justices. No one could possibly doubt that at election times there was such strong feeling that it would be almost impossible to get benches of magistrates, who were preponderately of one view, to close the public-houses on polling days. The only case he remembered of treating from an off-licence was where one of the parties actually had drink in a committee-room where they treated the voters. But nothing was easier than to detect that.

MR. BRODIE (Surrey, Reigate) said he was sorry to detain the Committee, and trusted he was not out of order, but before they went to a division on this subsection, he would like to get some statement from the Government as to whether they would give any consideration to an Amendment he had placed on the Paper.

*THE CHAIRMAN said the hon. Member must wait until they got to the Amendment.

MR. BRODIE inquired, with all respect, whether it was not possible that the Amendment might not be reached.

*THE CHAIRMAN said they were on the question of leaving out the subsection, and the hon. Member could not anticipate discussion on specific Amendments which came later.

LORD WILLOUGHBY DE ERESBY (Lincolnshire, Horncastle) said that perhaps he might be more fortunate than the hon. Member who had just addressed the House. He would like to ask a question of the Prime Minister, because he thought it might influence his vote in the division. It was a question concerning the whole matter they were going to vote about, and he might be in the unfortunate position of having to vote against his party. He was pledged to vote in favour of Sunday closing, and he looked upon the clause as a roundabout method of accomplishing that object. He would have preferred a straightforward method of dealing with the question, but he supposed it would be impossible in this measure to go into the whole question. As to the subsection dealing with Sunday closing he did not quite understand—not being an expert in reading Acts of Parliament—the conditions under which intoxicating liquor might be sold to *bona-fide* travellers. He had always thought it would be a great hardship on the owner or licensee of a public-house, if when made to close the public-house on Sunday altogether, he, his wife, or a member of his family, or his servant had to remain about the house the whole day in case some stray gentleman on a bicycle turned up and wanted a drink. If he was not allowed to keep his house open on Sundays and do the accustomed trade, he ought to be protected from being rung up by the *bona fide* traveller.

Mr. ASQUITH said that that case was sufficiently met by the law as it stood. The licensee could take out a six days licence. He was not then compelled to open his house on Sunday to the *bon fide* traveller or anybody else.

Mr. HUNT (Shropshire, Ludlow) wished to know how the *bona fide* traveller was going to get on. There were a great many of them who under this clause would get no refreshment at all. Were these people to be shut out altogether? Was there to be no place at all for the *bona fide* traveller?

*Colonel WALKER (Lancashire, Widnes) wished to say a few words on the all important question of "the long pull." He thought he might say, as one having experience of the trade, that it was not an unwelcome section, but what they desired was that all should be treated alike. He would rather not include this subsection in the clause, however, because the proposal should be embodied in a compulsory clause, so that every licensee should be treated alike and should not be at the mercy of the whim of some local magistrate. The policy of giving extra measure to the public might be considered as one conducive to intemperance, if it was conducive to intemperance that people should consume drink in their own homes. But the origin of this practice was to give the poor man the same right of buying his beer at wholesale prices as the rich man. If the Committee considered that the poor man should not have the same facilities as the rich man then they should pass that subsection. As a trade they did not care what the Committee did. All that was asked was that all should be treated alike. As regarded the question of closing houses on polling days, his personal experience of figures taken in Liverpool was that there was absolutely no increase of takings on an election day. He stated that as a fact. If the Government closed all public-houses on an election day they would make that district in which the election took place very unpopular. Did the Government wish to make Parliamentary elections as unpopular as parochial elections? Did the number of electors voting in a county council election represent the feelings of that community? He did not think so. He wanted to encourage voters to go to the poll. If the Government were to punish the whole of a community and prevent them from getting refreshment in a legitimate manner then elections would be unpopular. He also protested against licensees being at the whim of magistrates—of cranks and fanatics—so far as the alteration of premises was concerned.

Mr. FELL (Great Yarmouth) asked if the prohibition extended to the whole of the polling day. If so, it would be a great hardship on a great many people, as on polling day a number of people did a great deal of work. The poll was over at six o'clock in the evening, and there could be no influencing of electors. It would be an injustice to the men who had worked hard to deny them refreshment, and quite unnecessary. Would the clause cover local government elections and bye-elections? It would be extremely inconvenient if it did. Then, again, were the clubs to be allowed open?

*The CHAIRMAN called the hon. Member to order for straying from the question.

Question put.

The Committee divided :—Ayes, 267; Noes, 83. (Division List No. 315.)

AYES.

Acland, Francis Dyke
Adkins, W. Ryland D.
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Asquith, Rt Hn. Herbert Henry
Astbury, John Meir
Atherley-Jones, L.
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Beale, W. P.
Beachamp, E.
Beaumont, Hon. Hubert
Bell, Richard
Bellairs, Carlyon
Benn, Sir J. Williams (Devonp'rt
Benn, W. (T'w'r Hamlets, S. Geo.
Berridge, T. H. D.
Bethell, Sir J. H. (Essex, Romf'rd
Bethell, T. R. (Essex, Maldon)
Birrell, Rt. Hon. Augustine
Black, Arthur W.
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Causton, Rt Hn. Richard Knight
Channing, Sir Francis Allston
Cheetham, John Frederick
Churchill, Rt. Hon. Winston S.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins, Sir Wm. J (S. Pancras, W.
Corbett, C. H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cox, Harold
Crooks, William
Crossley, William J.
Dalziel, James Henry
Davies, David (Montgomery Co.
Davies, Timothy (Fulham)
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras, N.
Duckworth, James
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Edwards, Enoch (Hanley)
Edwards, Sir Francis (Radnor)
Ellis, Rt. Hon. John Edward
Esslemont, George Birnie
Evans, Sir Samuel T.
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Findlay, Alexander
Fullerton, Hugh
Gibb, James (Harrow)
Glen-Coats, Sir T. (Renfrew, W.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Gulland, John W.
Gurdon, Rt Hn. Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Harcourt, Rt Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardie, J. Keir (Merthyr Tydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Harmsworth, R. L. (Caithn'ss-sh
Hart-Davies, T.
Harvey, W. E. (Derbyshire, N.E.
Haworth, Arthur A.
Hazel, Dr. A. E.
Hedges, A. Paget
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.)
Herbert, Col. Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Holland, Sir William Henry
Holt, Richard Durning
Hooper, A. G.
Hope, W. Bateman (Somerset, N
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Isaacs, Rufus Daniel
Jackson, R. S.
Jardine, Sir J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Kekewich, Sir George
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lambton, Hon. Frederick Wm.
Lamont, Norman
Lea, Hugh Cecil (St. Pancras, E.)
Lever, A. Levy (Essex, Harwich)
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah (Down, S.)
M'Callum, John M.
M'Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren, H. D. (Stafford, W.)
Maddison, Frederick
Mallett, Charles E.
Manfield, Harry (Northants)
Marks, G. Croydon (Launceston)
Marnham, F. J.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Money, L. G. Chiozza
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morgan, J Lloyd (Carmarthen)
Morpeth, Viscount
Morrell, Philip
Morton, Alpheus Cleophas
Murray, Capt. Hn A. C. (Kincard.
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Nicholson, Charles N. (Doncast'r
Norton, Capt. Cecil William
Nuttall, Harry
O'Grady, J.
Parker, James (Halifax)
Partington, Oswald
Paulton, James Mellor
Pearce, William (Limehouse)
Philipps, Col. Ivor (S'thampton)
Philipps, Owen C. (Pembroke
Pickersgill, Edward Hare
Ponsonby, Arthur A. W. H.
Price, C. E. (Edinb'gh, Central)
Priestley, Arthur (Grantham)
Radford, G. H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, William (Clare)
Richards, Thomas (W. Monm'th
Richards, T. F. (Wolverh'mpt'n
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Robertson, Sir G Scott (Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roe, Sir Thomas
Rose, Charles Day
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)

Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann,Sir C.E.(Manchester)
Scott,A.H.(Ashton-under-Lyne
Sears, J. E.
Seaverns, J. H.
Shaw, Rt. Hon. T.(Hawick,B.)
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Summerbell, T.
Sutherland, J. E.
Taylor Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thomas, Abel(Carmarthen, E.)
Thomas,Sir A.(Glamorgan, E.)
Thomas,David Alfred (Merthyr
Thomasson, Franklin
Thompson, J.W.H.(SomersetE
Thorne, G.R.(Wolverhampton)
Thorne, William (West Ham)
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Walton, Joseph
Ward,John(Stoke upon Trent)
Wardle, George J.
Warner,Thomas Courtenay T.
Wason,RtHn.E.(Clackmannan
Wason,John Cathcart(Orkney)
Waterlow, D. S.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker,RtHn.Sir ThomasP.
Wiles, Thomas
Wilkie, Alexander
Williams, Osmond (Merioneth)
Willoughby de Eresby, Lord
Wills, Arthur Walters
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J. (York, W.R.
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, P. W. (St. Pancras,S.)
Wilson, W.T. (Westhoughton)
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood,RtHn.Sir AlexF.
Arkwright, John Stanhope
Ashley, W. W.
Baldwin, Stanley
Balfour,RtHn.A.J(City Lond.)
Banbury, Sir Frederick George
Baring,Capt.Hn.G (Winchester
Beach,Hn.Michael Hugh Hicks
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bottomley, Horatio
Bowles, G. Stewart
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Carson,Rt.Hon.Sir.Edw. H.
Castlereagh, Viscount
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R.(Marylebone,E.)
Chamberlain,RtHn.J.A.(Worc.
Cochrane, Hon. Thos. H. A. E.
Craik, Sir Henry
Cros, Alexander
Dixon-Hartland,Sir FredDixon
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Duncan, Robt.(Lanark,Govan)
Faber, George Denison (York)
Fell, Arthur
Fletcher, J. S.
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Gooch,Henry Cubitt(Peckham)
Goulding, Edward Alfred
Guinness,W.E.(Bury S. Edm.)
Halpin, J.
Harris, Frederick Leverton
Harrison-Broadley, H. B.
Heaton, John Henniker
Hope,James Fitzalan(Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Joynson-Hicks, William
Keswick, William
Kimber, Sir Henry
Law,Andrew Bonar (Dulwich)
Lockwood,Rt.Hn.Lt.-Col. A.R.
Long, Rt.Hn.Walter(Dublin,S.
Lonsdale, John Brownlee
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
MacCaw, William J.MacGeagh
M'Arthur, Charles
Marks, H. H. (Kent)
Middlemore,John Throgmorton
Morrison-Bell, Captain
O'Brien,Kendal(Tipperary Mid
O'Brien, Patrick (Kilkenny)
O'Kelly,James(Roscommon,N.
Parker,Sir Gilbert(Gravesend)
Pease,Herbert Pike(Darlington
Roberts,S.(Sheffield,Ecclesall)
Ronaldshay, Earl of
Rothschild, Hon.Lionel Walter
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Sassoon, Sir Edward Albert
Smith,F.E.(Liverpool, Walton
Stanier, Beville
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.
Talbot,Rt.Hn.J.G.(Oxf'dUniv
Tuke, Sir John Batty
Walker,Col. W.H. (Lancashire)
Warde, Col. C. E. (Kent, Mid)
Watt, Henry A.
White, Patrick (Meath, North)
Wortley,Rt.Hon.C.B. Stuart-
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE NOES—Viscount Valentia and Lord Edmund Talbot.

SIR EDWARD SASSOON (Hythe) moved an Amendment to exempt from the operation of the clause "premises constructed, fitted, and intended to be used in good faith for any purpose to which the holding of a licence is merely auxiliary." He said the object of the Amendment was obvious on the face of it. If the Government insisted on the provisions of this clause being made applicable to every licensed premises, and upon the matter being left in the unqualified discretion of the justices, the Amendment was absolutely necessary. The Government had, he thought, shown a wise discretion in the position they had taken up with regard to barmaids and children, but this clause would preclude all visitors on Sunday from having the smallest glass of stimulants. No case whatever had been made out as regarded paragraph (*g*) for closing public-houses on election days, and he hoped the Prime Minister, when he came to deal with that question, would enlighten the Committee as to the real reason which weighed with the Government in coming to their decision. His Amendment did not raise the question of whether it was wise or unwise to open public-houses on polling days, but it did raise the question of whether hotels, etc., should not be exempted from the restrictive operation of the clause. He would like the Government to consider the Amendment from a broad and statesmanlike point of view, and with the hope that they would do so he begged to move.

Amendment proposed—

"'In page 13, line 6, after the word 'on-licence,' to insert the words 'in respect of premises other than premises constructed, fitted, and intended to be used in good faith for any purpose to which the holding of a licence is merely auxiliary.' "—(*Sir Edward Sassoon.*)

Question proposed, " That those words be there inserted."

SIR S. EVANS regretted that the Government could not accept the Amendment. The hon. Member would see that most if not the whole of the conditions which the Government thought should attach to licences applied to hotels as well as other licensed houses, such, for instance, as those under paragraph (*b*). With reference to the qualms of the hon. Member as to the differences of feeding, and so on, when they came to discuss that question in connection with the Sunday closing clause at a later stage of the Bill, he thought the hon. Gentleman would be satisfied that there would be no difficulty in providing that people should be supplied with meals at these houses.

SIR EDWARD SASSOON: Accompanied by liquor?

SIR S. EVANS said accompanied by liquor. If the hon. Member would refer to the clause in the Act of 1904, he would see that there was no exemption such as he now sought to obtain in favour of the houses to which he referred.

SIR EDWARD SASSOON: The conditions in the Act of 1904 were to attach to every house whatever its character.

SIR S. EVANS: I have just said so; they do not exempt houses of this particular character.

MR. AUSTEN CHAMBERLAIN thought the Solicitor-General laid too much stress on the Act of 1904. Obviously it was one thing to apply certain restrictions to a particular class of house, and quite a different thing to apply those restrictions to every house. He asked the Solicitor-General whether he really meant that those buildings to which the licence was merely an accessory came within the subsection? Did he really mean that in the case of an hotel the justices could make any regulations they pleased in regard to any part of it, from top to bottom, which was open to the public? He presumed that this was merely a little oversight, because the Government were dealing with the Bill in a hurry, and they would be very glad to put down an Amendment on Report.

MR. CAVE asked what was the change really proposed in the later part of the clause. As regarded the arrangements of a house generally, that was not a matter for the justices in the case of hotels, and the same observation applied to paragraph (*g*). In respect of paragraph (*e*) he understood, when they came to it, that hotels were to be exempted. ["No."] He understood from the Solicitor-General that some change was to be made to satisfy the mover of the Amendment with regard to Sunday closing.

SIR S. EVANS: That is another clause.

MR. CAVE said if there was to be any exception with regard to hours, the earlier clause had no exception from the power to close hotels altogether on Sunday. He did not think that would be at all approved. Surely, if there was any part of this clause from which hotels ought to be exempted it was that dealing with *bona-fide* travellers. He hoped that the Amendment would be pressed, because it dealt with a special case which ought to be exempted from the operation of the clause.

MR. LYTTELTON (St. George's, Hanover Square) said he must press for further information. He had put down Amendments to almost every clause of the Bill in regard to hotels, but under the closure they had not been reached. He was quite at a loss as to what the policy of the Government was with respect to hotels, such, for instance, as the great railway hotels, which had been in existence for a very long time. Did the Solicitor-General really suggest that on polling day the Great Western Hotel at Paddington was to be shut up? Would he suggest that the new Great Central and St. Pancras Hotels were to be shut up on a Sunday, and that the licensing justices should have full power to close them altogether on that day? Such conclusions seemed to him to be absolutely ridiculous. As the basis of their measure the Government assumed that a reduction in the number of public houses would result in increased public morality, and upon that they had built up the immense practice of restriction contained in the Bill. He had never in his life met anybody who contended that a large hotel was other than a benefit to its neighbourhood. It was not a source, by any conceivable means, of the mischiefs which it was imagined were going to be dealt with by this Bill. None of those mischiefs arose at all in the case of large hotels. He was perfectly certain that any man of business who looked at the question would see that from the commercial point of view the existence of an hotel in a place was a matter of very great public importance. He knew perfectly well, from his own experience of places like Manchester and Birmingham, that the complaint in the old days was that there was no first-class hotel accommodation in those cities. That cause of complaint had now been removed. He had always understood that the institution of a really good hotel in a great commercial city had a very great bearing on its commerce. He wanted, if he could, to understand what the Government meant by this clause. Was it their intention to bring hotels within the ambit of this Bill at all? He submitted that to do so was absolutely unnecessary, and that they would be inflicting great damage on the community by adopting such a course. None of the mischiefs which were aimed at were produced by large hotels, while there were many benefits from them, chiefly commercial. He understood that foreign countries were very fully alive to the many benefits which arose to a commercial community from the presence in their midst of large commercial hotels. Was it really intended to bring within the clause such hotels as he had been speaking of, and to which the licence was a mere accessory? Was it really proposed that they were to bring those hotels within the jurisdiction of the licensing magistrates to declare that they were to be wholly closed on polling day or that they were to be open for a limited period on Sunday? He really could not believe that the Government had such a project in mind, but if they had he should most certainly vote for the Amendment.

*MR. HERBERT SAMUEL said that to discuss whether they intended to bring hotels at all within the ambit of the Bill would be quite out of order, as the discussion of hotels had relation to other clauses than that which they were now considering. With reference to this particular clause, the right hon. Gentleman had pointed out that in a large measure hotels were unsuited to be regulated in the manner suggested by some of these subheads. Undoubtedly that was so, and therefore discretion was given to the justices as to which of these particular restrictions should be applied. The right hon. Gentleman's Amendment and the Amendment which they were now discussing did not limit themselves to large public hotels, but included all premises to which the on-licence was a mere accessory, and they not only included large hotels, such as the Midland Hotel and the Great Western Hotel, but also small semi-private restaurants which had a liquor licence, and which it might be exceedingly desirable to regulate in this manner.

MR. LYTTELTON asked whether the hon. Gentleman intended to apply to large hotels a different measure of treatment from that which he applied to small hotels. Surely the test should be in each case whether it was a *bona-fide* hotel to which the licence was only accessory?

*MR. HERBERT SAMUEL asked if the right hon. Gentleman knew of any legal definition of the word "hotel." It might be anything; there was no legal definition. There were many small public-houses which called themselves hotels for reasons which might be perfectly legitimate. The words in which the hon. Baronet had moved his Amendment were these—

> "In respect of premises other than premises constructed, fitted, and intended to be used in good faith for any purpose for which the holding of a licence is merely auxiliary."

And his answer was that the Amendment covered not merely large commercial hotels, but small restaurants which had a liquor licence, and which it might be exceedingly desirable to regulate by action of the justices as proposed in this subsection. The justices would have full discretion in this matter, as they must have where licensed premises differed greatly in condition one from another. When the subsections could not have universal application, it was necessary to give the justices the right to discriminate to which it was necessary to apply this proposal, and to which it was not. If any injustice was done, the persons affected always had the right to appeal to Quarter Sessions, in whom the hon. Member and others, as they had heard recently, had such great confidence. The right hon. Gentleman asked whether the Government proposed to give the justices power arbitrarily to shut up great hotels in London on Sunday. Of course not; that had never been proposed. It had been made perfectly clear on previous clauses that all this part of the Bill, as was the case under the existing law, related to the sale of intoxicating liquors and to that alone, and although, just as under the present law, the words of the statute were "these premises shall be closed," there was no absolute closing and no penalty except for selling intoxicating liquors. He would make his position perfectly clear. Yesterday, Sunday, every hotel in England was subject to the same restriction as that which they now proposed in the same form of words, except that the hours were different in that which the Government proposed. The hotels were able to keep open for the sale of all refreshments except intoxicating liquors, and they would be in the same position under the present proposal.

MR. YOUNGER (Ayr Burghs): Does the hon. Gentleman tell the House that licensed premises can be kept open during prohibited hours for the sale of things other than alcohol?

*MR. HERBERT SAMUEL said that that was so. They did it every day. In the hotels in question it was done generally. ["No, no."] It was within his own experience that the hotels at Brighton remained open all Sunday. ["For visitors."] He made the statement not merely on his own authority but on the authority of the Prime Minister and the Solicitor-General, that the Government's position was that they did not alter the existing law in respect to the sale of articles other than alcoholic liquors. The Solicitor-General had stated that the Government contemplated placing on the Paper, when they returned to the question of Sunday closing, words which would apply to paragraph (*e*) of the clause, dealing with the case of persons who ordered alcoholic liquor at their meals.

MR. WILLIAM RUTHERFORD (Liverpool, West Derby) said the hon. Gentleman was under a most extraordinary misapprehension with regard to the serving in a licensed house of teas and meals of different kinds. It might be assumed from his speech that if a person living in London went to a hotel he could get any meal he liked at any hour of the day. That was absolutely untrue. The only persons who were able to enter any licensed premises during the hours those licensed premises were obliged to be closed by law were *bona fide* travellers, and the whole argument fell to the ground. It was entirely founded on a misapprehension of the facts.

*MR. CLAVELL SALTER (Hants, Basingstoke) hoped they might have some clearer information as to the change proposed to be made, which they were told would have some bearing upon this subsection. There were certain hours during which intoxicating liquor was not to be sold on Sunday. As the subsection now stood, it would be competent to any Bench to say to any restaurant keeper or large hotel proprietor who came to have his licence renewed: "You shall have no licence for the ensuing year unless you will consent to serve no intoxicating liquor whatever on Sunday." If he took the licence with that condition and broke it, he would be liable to be fined 20s. a day, and to lose his licence without compensation. If, on the other hand, he said the licence was of no use with the restriction, and gave it up, he would have no right of compensation at all. He had a right of appeal which he might or might not win, but that did not remedy the injustice. Apparently, the Government agreed that this state of things as it now stood could not be right, but they ought to be told what was the change that was going to be made. They understood there would be some relaxation of the general hours of Sunday closing in favour of restaurants and hotels, but they ought to be told whether any change would be made in regard to the subsection. Would any limitation be introduced to the power given to justices here to say to applicants: "You are already restricted on Sunday within certain hours. You will have no renewal of your licence unless you submit to further restrictions." They ought to be told, whatever might be the ordinary rules as to Sunday closing, whether that power was or was not to be entrusted to the justices.

Mr. J. JOHNSON (Gateshead) said he could speak largely of villages where it was a very common thing for a licensed victualler to put on his sign the word "hotel." He thought it was quite as much a matter of taste what a man put on his sign as anything else. He went into one of those hotels the other day, and he said he wanted some tea, but he was most politely told that he could not have it. He said he was given to understand that the place was a hotel and the man said: "We have not time to do it." He thought the subsection might very well be left as it was, for he had no fear that the licensing justices would do any injustice, and he did not see why the distinctions which the framers of the clause had in view could not be attached by the licensing justices. If any injustice was done, he supposed there would be a right of appeal, and then the thing could be made plain. He hoped the Government would keep the subsection as it stood and leave to the justices the authority to say what reasonable conditions they would attach to the granting of a licence.

Mr. A. J. BALFOUR thought the Committee would admit that his hon. friend had really opened, for the first time during their discussions, the fringe, at all events, of a very big question which they had had no opportunity of discussing, but which touched very nearly the interests not only of rural districts and small provincial towns, but such places as London, Manchester, Liverpool, Edinburgh and other great cities where foreigners and strangers were in the habit of coming. It was of great importance that in these days of international movement London and the other large cities of the kingdom should not be behind the great Continental centres in the attractions they offered to people who visited the country for business, pleasure, or curiosity. It was of great advantage to the country in pounds, shillings, and pence that people should be attracted to its shores, and that English people should not be driven from their shores at times of holiday. The Government had never explained what exactly was their policy in regard to the great hotels, which were an absolute *sine qua non*, without which attraction to our shores was an impossibility. However difficult it might be to distinguish technically hotels and restaurants from public-houses, the distinction was great and important, and ought to find a place in their legislation. He did not ask the Government to tell them how they meant to deal with this question under all the clauses of the Bill, but some indication of their general policy he thought they might well ask of them. It was quite true that the Amendment dealt with a portion of the hotel question which was far from covering the whole ground, but his hon. friend had not had an opportunity of raising the question in its broader issues. After all, the method of distinguishing between the hotel and the restaurant, which were intended to minister to the wants of the foreigner and the stranger, and the public-house, was really raised by the Amendment, and the whole policy underlying the Bill on this point might therefore properly be explained.

MR. ASQUITH thought the right hon. Gentleman had made a very reasonable appeal. Unfortunately the clause to which the question was really relevant—the clause which imposed restriction of the Sunday hours of opening on the country as a whole—had been passed on Friday without an opportunity having arisen for the consideration of the matter. It was clear that relaxation in the case of hotels was much more necessary in that clause than in this. That was an absolute cast-iron rule for the whole country, and the justices had no discretion in the matter at all, whereas here it was extremely improbable that any set of justices would be found who would impose any such vexatious disabilities on hotels as some hon. Members appeared to apprehend. It was better that he should say at once how the Government proposed to deal with the matter. They had no intention whatever of interfering with the legitimate conduct of the Sunday business of hotels and restaurants on its present lines—houses kept open not merely for the sale of intoxicating liquors but *bona fide* eating houses where people went and took their meals. Without committing himself to the actual form of words, what the Government proposed to do was to introduce in the proper place a proviso to this effect: "That nothing in the provisions of the Licensing Acts or of this Act in respect to closing shall prevent the supply of intoxicating liquor on any licensed premises on Sunday, during the hours the premises could have been open for the sale of intoxicating liquor immediately before the passing of the Act, to any person who is *bona fide* taking a meal on the premises in a room set apart for the purpose." That seemed to them a better way of dealing with it than having an artificial category of hotels or restaurants, or some dubious or ambiguous language not going to the root of the thing, which was: What was the purpose for which the person was there? If he went there for meals, and the consumption of liquor was ancillary to that, the present law ought to remain in force. They did not intend in any way to restrict the liberty which these places at present enjoyed of carrying on their *bona fide* business as hotel and restaurant-keepers.

MR. LYTTELTON: Can the right hon. Gentleman tell us what the policy of the Government is to be with regard to hotels in relation to the monopoly value and the provisions of the Bill which relate to that.

MR. ASQUITH: The right hon. Gentleman is going rather far afield from this particular clause.

MR. YOUNGER said the right hon. Gentleman had probably deliberately confined himself to dealing with the question of Sunday. But what about election days and that sort of thing?

MR. ASQUITH: This clause does not give justices a general power to close licensed premises on polling days but only to attach to a particular licence the condition that it shall comply with certain regulations. Nobody supposes that any justice would attach a condition to the licence of the Ritz Hotel that it should close on polling days.

MR. BARNARD said that if he had not heard the speech of the Under-Secretary on Friday the statement made by the Prime Minister would have been quite satisfactory. The position stated by the right hon. Gentleman would regulate the hotels and restaurants in London.

MR. ASQUITH: It means premises carried on in this way wherever they may be.

MR. BARNARD said he understood this proposal cleared the way for what had been in the minds of hon. Members ever since Friday night.

MR. ASQUITH: What my hon. friend said was that we are considering the question of the hours to apply to ordinary public-houses, and it does not follow that we shall adopt precisely the same hours for London, which has always been treated differently. The explanation I have been making applies everywhere.

MR. WILLIAM RUTHERFORD said the Prime Minister had just given them an indication of what they were going to do in the case of hotels and refreshment-rooms. The position, as he understood it, would be that if he were in Liverpool and desired to get a bottle of claret on Sunday during the hours which the justices thought fit to close public-houses he could obtain it at an hotel by taking a luncheon with it; but a poor man in Liverpool would be unable to get a glass of beer during those hours at any licensed house. Poor men could not afford to order a luncheon. Therefore the effect of the Government proposal would be to establish one law for the rich and another for the poor. He would give any such proposal as that the most absolute opposition, because these matters ought to be put on a par for all classes of the community. The great mass of people outside did not frequent hotels, and they had to frequent public-houses which would be subject to these restrictions. They had been told that if anybody wanted tea or any other refreshment during closing time they could get it, but that was not a fact. He should most certainly oppose any proposal or suggestion which would put various classes of the community upon a different footing, treating a poor man in one way and a man with means in another. That was not fair or English, and he did not believe the British public would stand it.

MR. LYELL (Dorsetshire, E.) wished to allude to the point raised as to the right of a licence-holder to keep his premises open for the sale of food during the hours he was prohibited from selling intoxicating liquors. This proposition, from the legal point of view, had been challenged, and it had been put forward that a person could not get into an hotel to obtain food or for any other purpose, at times when liquor was not allowed to be sold, except as a *bona fide* traveller. He thought that point ought to be definitely cleared up, because it was very important. Some of them desired reforms in licensing to proceed along the lines which would make licensed premises public-houses in the best sense of the word, and not drinking shops. He thought words should be introduced which would clear up this point, and advertise the fact that public-houses might be opened for the purpose of buying food or for other recreation unconnected with the sale of liquor quite apart from any restrictions which the law or the House might impose upon the sale of liquor.

*MR. YOUNGER said he knew that in Scotland if any person was found upon licensed premises during prohibited hours the licence holder was liable to a severe penalty. Any person found on licensed premises during closing hours in England who was not a servant, a manager, a lodger, or a *bona fide* traveller was subject to a fine of 40s. The whole discussion had convinced him that the Licensing Commission were right in their view that whatever conditions or restrictions were attached to licences they ought to be most carefully thought out.

*THE CHAIRMAN: I think the hon. Member is getting a little wide of the subject. This is a proposal to exempt hotels.

SIR S. EVANS said the point raised by his hon. friend behind him and the hon. and learned Member for Ayr Burghs only arose incidentally upon this Amendment. He admitted that it was a point of considerable importance. Whatever the meaning was under the Acts of 1872 and 1874, they did not change it at all. In his opinion there was nothing in the licensing law which prevented houses from opening for the purpose of supplying food or anything else other than the sale or consumption of intoxicating liquor.

MR. WILLIAM RUTHERFORD: No, you are wrong. If the Solicitor-General will send for the first policeman to be met with he will tell him what happens at closing time.

SIR S. EVANS said the hon. and learned Member might be very learned in regard to these particular laws, but he was not very courteous. There would be no change in the law which had been in operation since 1872. Personally, he had no objection to putting in a declaratory section—although he thought it would be better not to—not to change the law but to make it clear, and put in black and white in the Act of Parliament the opinion they wished to express.

MR. YOUNGER said there were certain *bona fide* purposes for which a person might be on licensed premises during closing hours, but those purposes did not include the buying of food.

SIR S. EVANS: Oh, yes.

SIR GEORGE WHITE (Norfolk, N.W.) said he had had a good deal of experience on benches of magistrates before whom persons had been brought for being on licensed premises during prohibited hours, and he was bound to say he never knew a case of conviction where it was not satisfactorily proved that the person before the Court had been there to obtain intoxicating drink. The trouble in getting a conviction was that it was extremely difficult to get a witness in any form to the sale of intoxicating liquor, and that, he thought, must be the experience of benches of magistrates generally. They did not convict persons for being in the licensed house unless they could show that he had purchased a drink, and the practice, whatever the law was, was as the learned Solicitor-General had contended. He wished to ask the Government to accept the lesson of concessions from the attitude taken up by one of the hon. Members for Liverpool. The moment the Government attempted to meet certain demands which might or might not be just, some further demand was made and the absurdity of the concession was at once shown to the Committee. He hoped it would be a warning to the Government as showing that a reasonable concession was not received in the spirit in which it was made, but was used as a lever to get something further which would practically stultify the other clauses of the Act.

MR. LUPTON (Lincolnshire, Sleaford) said he was obliged to the Solicitor-General for the explanation he had given of the Prime Minister's concession. The law was one thing and the practice was another. Most public-house keepers were in such fear of having their licences taken away that sooner than risk anything they would keep out a customer who wanted a cup of tea. He was a customer who wanted tea, and he was glad to hear the explanation. The hon. Member for the West Derby Division did not do the Prime Minister justice. The right hon. Gentleman foreshadowed the case of a *bona fide* traveller having a meal. Did the hon. Member opposite mean to say that a rich man would be able to order a sumptuous lunch while a humbler person would not be able to order bread and cheese? An eating room must be part of the structure, and the police knew the purpose for which it was habitually used. He held that the concession announced by the Prime Minister would apply equally to the man who ordered an expensive lunch and to the man who ordered bread and cheese, and the decoctions which were made from the plants which grew in China, India and Ceylon.

MR. H. H. MARKS said there were two points which had escaped the attention of hon. Gentlemen who had been discussing this question. It was quite true that the Prime Minister had proposed to insert words in the Bill that nothing should prevent the supply of intoxicating liquors during the hours when houses were closed, provided that they were served with meals in rooms set apart for the purpose. It was obvious that at the Ritz, the Savoy, and the Carlton Hotels there were rooms set aside for eating, but the humble wayfarer who desired to have bread and cheese and a glass of beer would have difficulty in finding a public-house with a room set apart for eating. In the vast majority of public-houses bread and cheese was served at the counter where the beer was sold. He might be wrong, but that was a point on which the value of the concession turned. It seemed to him that the concession would apply only to hotels and restaurants of the better class, and not to the small beerhouses used by the working classes, because in these small houses there were not rooms set apart for the service of meals.

MR. LUPTON said he had been in hundreds of public-houses in the country and he could state that in most of them there was a room where customers could get bread and cheese and beer.

MR. WILLIAM RUTHERFORD said he had no intention of being discourteous to the Solicitor-General, and he apologised if anything he said could be so construed. There was a distinction between hotels and public-houses. Hotels which were in the habit of receiving *bona fide* travellers had the means of opening a door by which they could be admitted, but ordinary public-houses were closed during certain hours, and the members of the public could not get into them under any circumstances whatever for tea or other non-alcoholic refreshments. He made that statement without fear of contradiction. Every policeman knew that public-houses must be shut at half-past twelve and that they could not be kept open after that hour for the sale of tea, coffee, or anything of that sort. The words quoted by the Solicitor-General had been interpreted as meaning a person who might be called upon, for instance, to repair a watermain. There were all sorts of reasons why a man should be on licensed premises after the closing hour, but no licence-holder had a right to have on his premises any person except a *bona fide* traveller or a workman who was doing some work after the closing hour. If he did allow anyone to be on the premises, he was liable to be fined 40s. and costs. The law was that no person was entitled to be on licensed premises after the closing hour, and whether the place was a hotel or a public-house made no difference. The Amendment and the concession given by the Prime Minister both illustrated the general unworkability of the section with which they were dealing; they showed that if they attempted to make any difference between classes of houses they inevitably ended in making one law for one class and another law for another class. That kind of thing should not be allowed, and, therefore, he welcomed the statement made from the Treasury Bench that there was an intention by a declaratory clause of saying that all licensed houses could be open during the hours at which they were by this Bill to be closed, provided they were open for the supply of meals and non-alcoholic refreshments. But that was not the point they were now discussing. The point was whether they were to make one law for the rich and another for the poor. That was what the passing of the Amendment would amount to, and therefore, he was against it. He considered that there should be no distinction made. If they gave facilities to large hotels frequented by the rich they should also give facilities to small public-houses used by the poor. If they did not, the law would be repugnant to the general sense of the community. He agreed with the Leader of the Opposition that in this matter England should not keep itself to itself. Foreigners who visited this country desired reasonable accommodation, but the question with regard to that did not arise in their case. They were always *bona fide* travellers, and they were entitled to get refreshments wherever they went. They should not subject poor men in every town in the kingdom to penalties and disabilities, while men who were better off could evade them.

MR. LUTTRELL (Devonshire, Tavistock) said it seemed to him that the Government would make a mistake if they made any concession on this point either now or at a later stage. To make the concession which had been indicated would really mean the allowing of houses to be open on Sunday. It would be possible for them to set apart a room in which meals could be served.

MR. MARKHAM (Nottinghamshire, Mansfield) said that the hon. Member for Liverpool had repeated the same argument eight or ten times. [Cries of "Order."] When they were told that this measure was being put through by means of the "gag" it should be remembered that the hon. Member for Liverpool had deliberately taken up the time of the Committee by constantly repeating himself.

*MR. FINDLAY (Lanarkshire, N.E.) said that in regard to the sale of liquor on Sunday, he was very glad that they had not that question in Scotland, where all the houses were shut except hotels for the benefit of the *bona fide* traveller. He understood that this Bill was to try and restrict the sale of intoxicants so as to remove the temptation as far as possible from those who were exposed to temptation. To listen to the hon. Member for Liverpool one would imagine that the object of the Bill was to make it easy to get "booze" on Sunday. One would think, according to the hon. Gentleman, that it was a good thing for the rich man to go to a hotel and get liquor and a sin for the poor man not to be able to get into a "pub" when he wanted to. As one who had experience of working-men, they did not want it to be made easy for them to get into a public-house or hotel on Sunday, but to stay at home with their families. He emphasised the hope that the Government would not give way much further with regard to this question, but stand firm in their attempt to restrict the sale of liquor on Sunday whether to rich or poor.

MR. BARNARD said it appeared from what the Solicitor-General had said that the Government would put in a declaratory clause to clear up the point. The Prime Minister had made it perfectly apparent that he intended to introduce a clause which he should imagine would be satisfactory to everybody, when he said that at some future stage he would give exemption in favour of restaurants and hotels. But what did the hon. Member for Liverpool do? That hon. Gentleman tried to make out that this was a proposition to make one law for the rich and another for the poor. It was nothing of the sort in practice. The Prime Minister said that any place where there was a room for eating in would be exempt. Moreover, if a poor man was away from home he would be a *bona fide* traveller and would come under the clause. But he would go a step further and say that if a working-man was near his own home he would not in practice use a hotel or a restaurant. He hoped the Prime Minister would adhere to the principle of the Bill as regarded the facilities for drink on Sunday, while at the same time he was meeting a public need.

MR. WILLIAM RUTHERFORD as a matter of personal explanation, wished to say that he had not addressed the Committee on the whole Bill for more than ten minutes altogether, and any suggestion that he had been a party to anything like waste of time was a disgrace to the hon. Gentleman who made it.

Amendment negatived.

SIR S. EVANS moved to omit paragraph (*a*). This was in accordance with the declaration of the Prime Minister.

Amendment proposed—

"In page 13, line 8, to leave out paragraph (*a*)."—(*Sir S. Evans.*)

Question proposed, "That the words 'the employment of' stand part of the Clause."

*MR. RAMSAY MACDONALD (Leicester) said he had heard with a great deal of regret the statement of the Prime Minister earlier in the day. The right hon. Gentleman gave as a reason for his decision that certain Amendments had been put down on the Paper in the name of Members belonging to all parties. There was one Amendment in the name of two members of the party with which he was associated, but these Amendments in no way committed the party any more than what he was now saying committed the party. They were purely the very legitimate expression of the individual opinion held by those two Members and in no sense reflected opinion beyond themselves. It was perfectly true that owing to the bad drafting of this clause paragraph (*a*) went a little bit too far, but he understood that the last negotiations with the Government left the Government itself perfectly well aware that the paragraph, as it stood, was absolutely impracticable, could not be carried into effect, and was merely the expression of a pious opinion. During the last six months various members of the Government had received deputations on the subject and the report of the statements made by those members of the Government to the deputations had appeared in the public Press; and so far as the reports were concerned every member of the Government so interviewed had pledged the Government to go on with paragraph (*a*) after having amended it. The Prime Minister had taken the Committee by surprise by throwing that paragraph over. He thought it would have been more courteous to the Committee, after all these declarations, had the Solicitor-General in moving to delete the paragraph, told them why the deletion was moved at all. With all due respect, the Prime Minister's statement was very perfunctory. It was only made in the midst of a general statement as to the general scope of the whole section. In spite of what the Prime Minister had said he believed that this particular trade was not fitted for women. He had looked at the Notice Paper that morning with expectation as to what Amendment the Government were going to move to paragraph (*a*). They had been told time after time that instead of dropping that paragraph altogether the Government would put down Amendments that would make it work. He himself was hoping that the Government would adopt the Amendment of the hon. Member for Derbyshire. Why was it that he personally objected to the employment of women in public-houses? It was for precisely the same reason that the legislature had seen fit to prohibit women from working in certain directions in connection with pit work. He had been refreshing his memory by reading the debate that took place when the Amendment of the mining law was carried, and the principle of every argument used for prohibiting women engaging in that kind of employment was as valid to-day for prohibiting women from engaging in the bars of public houses. The facts at their disposal were indisputable. The Committee should take into consideration the character of certain employments from the point of view of the women engaged in them. If it was true as Mrs. Bramwell Booth stated in *The Times* a short time ago, that about one-fourth of the cases of certain unfortunate persons, who had to be dealt with by certain sections of the Salvation Army, came from women engaged in this occupation, then it was the duty of the Government to take this into consideration. If it was true, as the West London mission officers had stated, that one-third of their cases came from the same occupation, then the Government was bound to take notice of it and treat the subject legislatively. Lord Peel had several times expressed the same opinion as regarded the character of this occupation in relation to women labour, and there was hardly a magistrate in the country, who had had cases brought before him concerning the kind of life spent in bars and behind bars, who had not expressed himself in favour of legislation prohibiting or drastically regulating the employment of women in these trades.

MR. LUPTON: Why not pass a law to keep out men. [" Order."]

*MR. RAMSAY MACDONALD said they were passing a law to keep out men. The whole effect of this Bill was to keep men out of this occupation. Hon. Members had got up again and again and said they wanted to diminish the attraction of the bar and of licensed premises in order to diminish the consumption of drink by the people of this country. Why did not the Government carry it to a very logical and reasonable conclusion?

MR. LUPTON: No, no.

*MR. RAMSAY MACDONALD: The hon. Member for Sleaford would have time to make one of his usual speeches, but he hoped the hon. Gentleman would restrain his somewhat overflowing enthusiasm when statements were made with which he did not agree.

*MR. LUPTON said he was sorry if he had caused any annoyance. He had merely uttered a word or two, and it was the comments of the hon. Gentleman's friends which constituted the interruption.

*MR. RAMSAY MACDONALD said he was not in favour of giving the justices power to close public-houses against the women now employed in them, and they understood that the Government were going to introduce

Amendments so that that would be prevented. Representations had been made to the Government—and they must not sail off on the virtuous tack in that way—representations were made to the Government by those most in favour of paragraph (*a*), pointing out how foolish that paragraph was, and the Government gave pledges that they would amend it, so that it would become a practical proposition. The case was fundamentally as he had stated. There was nobody who had studied the criminal statistics relating to women, nobody who had studied the various very painful forms of individual and social pathology, but knew that to these diseases and these crimes the calling of the barmaid contributed an abnormal proportion. It was very painful to have to say such things, and he had not the least doubt that some persons would immediately retort that in making such statements one was impugning the character of the women engaged in the trade. He had no such intention. He was impugning the character of the trade. Nobody could "touch pitch without being defiled," and all he wanted to say was that it was simply the result of experience of the character of the trade, of the temptations placed in the way of women by the trade, of the character of the behaviour that women were expected to show whilst in the trade; not for one reason, but for an accumulation of the reasons—for the whole of the reasons which went to make up the case, and not any section of them—that he opposed the employment of women as he then did. Two very simple tests could be applied to this question, and he proposed to apply them, and then to allow the debate to be carried on by other Members. The first was that this employment more than usual depended upon certain womanly qualities, which, when exercised, and when utilised by publicans for profit-making purposes, departed from the woman altogether. If the Committee would consider the advertisements in the trade journals for barmaids they would see his point at once. For instance, an examination had been made of the advertisements for barmaids which appeared in the *Morning Advertiser* for one complete month. There were 350 such advertisements, and in 220 cases out of the 350 it was made a condition that the applicant should be under twenty years of age, and should be attractive in appearance. One knew exactly what that meant. Take the ages of those employed. From the last census of 1901, they found, not that 100,000 women were employed, as stated in an extraordinary document which had gone round that morning, and which was of a purely imaginary and fictitious character, but that 27,707 women were employed as barmaids, and that 18,500 out of the twenty-seven thousand odd were under the age of twenty-five. The meaning of that was that when a barmaid reached the age of twenty-five she had ceased to be the possessor of those qualities which had made her valuable to the publican who had employed her. He, therefore, proceeded to discharge her, and in an interview which a manageress gave in the *Morning Advertiser* a month or so ago, she stated that the leakage was not owing to marriage. One of the most obvious suggestions that one could make was that it was owing to the simple fact that when the barmaid reached the age of twenty-five she was no longer of use to her employer, so that 18,500 were actually under the age of twenty-five. There was another important argument that came in here. They were told that if they closed this avenue to women labour then women would be in a very bad position indeed; but surely it was better to close it at fifteen than open it at the age of fifteen and close it at twenty-five. Everybody who knew anything about the conditions of trade, he did not care whether they were teetotallers or not, temperance reformers or not, well knew that too many employments were now open to young men and young women up to the ages of eighteen or twenty-five, and then they were thrown out upon the streets. It was very bad for a young man to be thrown out at the age of twenty-five without a trade or character, and in the case of the barmaids, even if they were absolutely honest and upright, there was a taint, for how many people were going to employ ex-barmaids. He thought the people were to blame, but so it was, and bad as it was for a man to be turned out at twenty-five, it was infinitely worse for women even with no trade prejudices attached to them to be turned out under such conditions. He said that it was the duty of this House of Commons, of this Legislature to take cognisance of these things, and to try and adapt its legislation so that they would be stopped. The argument as to the displacement was an absolutely unsound argument. If there was going to be displacement he preferred to displace at fifteen, or rather to close the door at fifteen, than to displace at twenty-five. Then, to apply the other test: Why were they employed? For two reasons. They were not employed in the same way that the potman was employed. They were employed first of all because their employment increased the consumption of drink, because where women were employed there was a great deal of dalliance in the bar. There was a certain class of customer who went and wasted his time there, and the quarters and the half-hours went, and all the time a steady consumption of liquor went on. The atmosphere was abominable, the conversation that went on was disgusting and disgraceful. As was pointed out in a very recent Court case, counsel for a corporation that was being prosecuted for taking certain action absolutely declined to read the shorthand notes that had been taken by corporation officials for the purpose of proving the character of the conversation which was being carried on in front of women, who were compelled by their occupation to be the chief actors in that sordid and disgusting scene. A short time ago he heard of a case where a certain publican fell out with his barmaids and discharged them all, and took men on. The result was that the consumption of drink in his house went down by 50 per cent. That was the point. These women were taken on simply as decoys to bring men into the bar, simply to increase the sale of drink. The other point was this. They were taken on because they were a cheap—a very cheap—form of labour, and that was why the publican was so anxious to get hold of them. There was a very amusing incident, reported in the *Daily Telegraph*, a reference to the initial stage of the agitation about this section. The Licensed Victuallers National Defence League intimated in March, 1907, that any women's organisation taking this matter up should receive all possible support, and at a meeting subsequently held in the Holborn Town Hall, to protest against legislation regarding barmaids, the chairman and other officials of the Licensed Victuallers' Central Protection Society of London were present "in case of their being required." He dared say that this barmaids' agitation was much more a licensed victuallers' agitation than anything else.

MR. ASHLEY (Lancashire, Blackpool) said that as he and several other hon. Members took a great deal of interest in this question would the hon. Member please substantiate his statement.

*MR. RAMSAY MACDONALD said he knew that the hon. Member was an official of the League, but he was not aware that the hon. Member for Blackpool was a barmaid.

MR. ASHLEY said the hon. Gentleman implied that the agitation was run by the brewers or licensed victuallers. It was not so. He had nothing to do with the licensed victuallers.

*MR. RAMSAY MACDONALD said he took his stand upon this statement made officially by the Licensed Victuallers' National Defence League, and also on the fact that the chairman and other officials of the protection society were present at the Holborn Town Hall in case they were required. It was a trade agitation.

MR. ASHLEY said he did not know that.

*MR. RAMSAY MACDONALD was quite ready to admit that the hon. Member's knowledge was exceedingly limited. He would be the very last to suggest that the hon. Member knew all about this matter, but here was a statement made on this indisputable authority, suggesting clearly and precisely the character of the agitation which was being carried on in order to defeat this subsection. He was exceedingly sorry that the Government should have yielded to that agitation and to the pressure of those who had been carrying it on, and that those who contended for better respect for our womanhood should not have been consulted right through to the end by the Government. The barmaid was employed simply for the purpose of increasing the profits of the licensed victualler. There was no greater temptation to drink than that which it was sought to deal with in paragraph (*a*). Even if it was true, which it was not, that 27,707 barmaids would be displaced as a result of the passing into law of that portion of the clause which the Government had thrown overboard owing to certain information communicated to it from some undisclosed source, their places would be taken by highly paid men, and labour in the mass would be greatly benefited.

*DR. RUTHERFORD (Middlesex, Brentford) said he deeply regretted to find himself in the painful position of opposing the Government in their withdrawal of this paragraph. He had supported the Government throughout on this Bill, and now felt that the withdrawal of this paragraph was going to be the darkest blot upon it. The power which would have been conferred upon the magistrates to prevent women and children being employed in bars was very small, and purely discretionary. The provision was much needed in the interests of the womanhood and motherhood and the health and strength of the people, and he regretted that the Government had withdrawn it from the Bill. He and his friends who had given the Government loyal support hitherto hoped it was not too late even now for Ministers to reconsider their action in regard to the subject. It was essential that children and women should be protected from the snares, temptations, and dangers of the public-house. When he looked at the Colonies and foreign countries he was astonished at the unhappy and unsatisfactory position which this country held in regard to the employment of women and children on licensed premises. In New South Wales their employment up to the age of seventeen years was prohibited; in Prince Edward Island it was prohibited up to the age of twenty-one years; and in Nova Scotia and Saskatchewan barmaids were absolutely prohibited. For this country to be behind our Colonies in this respect was undemocratic, unsatisfactory, and demoralising in the highest degree. So far as children were concerned, the Government were only going to protect them up to the age of fourteen. After that age a child could be employed in the bar. In his opinion the Government should at least raise the age of employment to twenty-one years. It was a criminal folly to expose children as they had been exposed hitherto to experience of work in a public-house. So far as barmaids were concerned, it was absolutely impossible to have healthy and vigorous motherhood as long as there were barmaids. The hon. Member for Blackpool had said that opposition to barmaids was based upon purely sentimental grounds. Those grounds were satisfactory enough; he based his opposition on far higher grounds, namely, physical, moral, and national grounds. The death rate among those employed in bars was about double the average rate. What right had they to expose the womanhood, the future motherhood of a portion of the race, to such dangers? It was not necessary to speak of the diseases, of anæmia, and tuberculosis, in the production of which, as they all knew, alcohol was a potent factor. But it was well-known that many of those serving as barmaids fell a prey to these terrible plagues. The Leader of the Opposition had stated that drunkenness was a vice, but it became a disease when it was impossible to restrain the appetite for drink. Many of these poor women finally fell a prey to inebriety, which was a most terrible disease. Then there was insanity. They knew that drink was on the increase among women, and he and his friends thought that this country had no right to expose its womanhood to such terrible evils. The injury to the morals had been referred to. The danger to the morals was beyond imagination, and on the highest grounds, the national grounds, mental, moral, and physical, he thought our womanhood should be protected. Public opinion was so strong in the United States of America and Canada, that there was not a single barmaid allowed in those countries. In Norway, Sweden, the Transvaal, and in many parts of the Empire they were forbidden. Perhaps the only thing which he approved of Lord Curzon's doing in India was his prohibition of the barmaids. It was a wise and statesmanlike action on the part of Lord Curzon, and he sincerely hoped that the House would be as wise and statesmanlike in their action. Alcohol was, after all, the most serious protoplasmic poison in the world. Its deleterious action upon young growing life was far beyond realisation to those who had not studied it for years. The hereditary influence might be exaggerated or underestimated, but he knew that the law of hereditary was so strong that all diseases produced by alcohol were partly hereditary. The tendency towards them was there. Drunken mothers produced children with weak will and nerve power, and when these children were exposed to temptation and danger so far as alcohol was concerned, they were more likely to fall. Moreover the children of drunkards were of poorer stature and poorer weight than the children of the same parents before they became drunkards. The liability to disease was enormously increased in these children. The figures produced by Dr. Sullivan showed that 120 drunken women had 600 children; of those 55 per cent. were stillborn or died under the age of two years. Let them contrast that with the history of sober women, branches of the same family: in the case of a similar number of parents and children he found the percentage of children who were stillborn or who died under two years of age was 23·9 per cent. Beyond that there were special schools in the country or feeble-minded children. They found that in 42 per cent. of the children of those schools there was a history of drunkenness in one parent. If they went to the normal schools they found in only 6 per cent. was there such a history. The figures showed a catalogue of misery and devilry difficult to believe. The House had no right to expose our women who were the mothers of the future to the environment of the public-house and its evils and the liability to produce children who would not be so healthy as those of parents who were not subjected to those temptations. They were told that this was a serious thing so far as the women were concerned, that they would lose their livelihood, but the gospel of sacrifice was as good for women as it was for men, and women should be prepared in their own interests, in the interests of their children and the nation, to sacrifice this vocation and look for others, and in that way play a noble part towards their country. He trusted the Government would reconsider their position and by withdrawing their Motion for the omission of this paragraph remove the reflection upon the intelligence, patriotism, and nobility of this the Mother of Parliaments.

MR. ASHLEY said the hon. Member for Leicester in his very last sentence gave the real reason for his strong and unfair attack on these women. He said that if this clause was retained and these women were displaced their places would be taken by highly-paid men.

*MR. RAMSAY MACDONALD: What I said was that these 27,700 women would not be displaced, but even if they were their places would be taken by men.

MR. ASHLEY said that if these women were not to be displaced, he did not see the reason for the impassioned appeal for the retention of the clause. However, he would pass that matter by; he would only say that the agitation for turning barmaids out of their employment was inspired more by the desire to displace those women than to promote their interests. He could not help comparing the conditions under which barmaids worked to-day with those under which women worked in the coal mines years ago, before his grandfather passed an Act in the House to improve them. Did hon. Members know what the conditions of the women workers in coal mines were then? The mines were underground Alsatias, the Queen's Writ did not run in them. The women were naked, were beasts of burden, were compelled to draw heavy loads about, and had no sort or kind of protection. Let the House compare that state of things with the conditions of work in licensed premises to-day—premises which were, or might be, inspected at any and every hour of the day. It was not really treating the Committee seriously to compare the two, and say legislation was as necessary to protect these women as it was in 1840 to protect the women employed in mines. He was afraid it was true the women did not get as good wages as they ought, but their wages compared very favourably with those of other classes of female labour. What did the women get in the Aerated Bread Company's restaurants? Eight shillings or 10s. per week, and a certain amount in tips. How did that compare with 13s., 14s., or 15s. with lodgings paid to women employed in public-houses? There were few publicans who were not married, and the morals of the young women employed on licensed premises were looked after by the publicans' wives. There was the case of female typists employed in the Post Office. They received 15s. or 16s. per week, and had to find their own board and lodging. Surely barmaids were quite well-paid compared with them. If they closed these situations, whether 25,000 or 100,000 in number, they would be closing so many means of employment, and that when, probably, every year it became increasingly difficult for women to obtain employment under the stress of modern conditions. The hon. Member for Leicester had made a great point of women in public-houses encouraging men to spend their money and to drink. It was, of course, difficult to get statistics for the whole country, but he had taken a good deal of trouble to get statistics on the best possible authority for Blackpool. A census had been taken there of the licensed houses. There were some 500 women employed in the bars or smoking-rooms of the licensed premises in the borough of Blackpool which would, if this paragraph were retained, come directly under it; and, if the contentions of the hon. Member for Leicester were right, they would have imagined that Blackpool would be a very drunken place and that convictions would exceed the average; but, according to the chief constable's report, no less than 4,000,000 visitors, mostly cotton operatives, miners, and people of the working-classes of Lancashire and Yorkshire, went to Blackpool, and there were only 320 convictions for drunkenness, an infinitesimally small number compared with the rest of the United Kingdom, proving, if anything, that the employment of women on licensed premises did not cause drunkenness. Personally, he would have thought that the presence of women in a house would have had a humanising and elevating rather than a degrading influence. The hon. Member for Leicester was a temperance advocate, and desired, he presumed, to raise the tone of the public-house and make it a place where a man could go and smoke and have a glass of beer decently and quietly, and where, if necessary, he could take his wife, as was done in Germany and France; but he wanted to drive away all decent elements and say that everyone who went to a public-house should be stamped as one who only thought of his beer and things of which one ought not to think. The best way to promote temperance was to refine the public-house and make it something more in the nature of a club where one could go for social enlightenment, and less of a mere drinking bar. He asked the Committee not to give way to the powerful and persuasive speech of the hon. Member for Leicester. These women appealed to them to be allowed to continue in their occupation. They had no vote, and owing to recent events it would probably be a long time before they had it. He therefore hoped the Committee would be very chary of turning hard-working people out of their occupation and of closing for the future a great number of situations to women. If hon. Members would go a little more deeply into the question they would find these women were not half as bad as some of them seemed to think.

*MR. MADDISON (Burnley) said that it was with very great regret that he should be compelled to vote against the omission of the paragraph. Among the many achievements of the Government nothing had given him greater pleasure than the introduction of this Bill. It had, in his opinion, attracted the support of a certain middle-class of public opinion which was neither fanatically teetotal nor vitally interested in the drink trade, and he ventured to say that that same class supported, and would regret the omission of, this paragraph. He agreed that the Prime Minister had to consider the formidable array of Amendments on the Order Paper, but he ventured to say that if the right hon. Gentleman had gone a little deeper into the question and had consulted those Members who had taken a deep interest in it he might have become more enlightened regarding it. Those interested in it had always been strongly in favour of safeguarding the barmaids now in employment. They did not want a single barmaid now employed interfered with. They merely wanted the action of the subsection to be prospective. He could assure the Committee that not one of the supporters of the clause was actuated in the slightest degree by the narrow-minded desire to replace women by men. They believed, however, that the drink trade must be dealt with in a different manner from the grocers and butchers—in fact, the trade provided its own justification for treating it as no ordinary industry. Surely, as that view had been accepted by the majority of the House, the question of the women employed ought, therefore, to be considered from the same standpoint. Everyone who had inquired into it, knew there were great problems surrounding the women's question, and one of the signs of the times was that drinking had increased at a larger ratio among women than men. He believed, first of all, that employment as barmaid was not a fit employment for a woman physically. The hon. Member for Blackpool took exception to the rather extreme illustration given by the hon. Member for Leicester. It was, however, true if rather extreme. If he wanted substantial proof of what the hon. Member said, they had simply to go to the Registrar-General's Returns, which showed that it was more dangerous to be employed in a public-house than in a coal mine. It was no exaggeration, therefore, to say that the trade could reasonably be scheduled as dangerous. He did not wish to put women in a dangerous trade, and he was prepared by the same reasoning to exclude her from every dangerous trade. The hon. Member for Blackpool had said it was becoming more and more difficult for women to get employment. Surely the general view was to the contrary. It was not, however, a question of trying to supplant women by men at higher wages; they had a deep and solemn conviction that the public-house bar was not the proper place for women, whom the nation ought to cherish to the utmost. In conclusion, he would say they ought not to ignore the experience of their kith and kin in the Colonies, or to set aside the experience of the United States. In that country there was not a woman in the saloons. The Americans thought too much of their women to put them there. He deeply regretted that the Prime Minister had been so badly advised on this matter, and he hoped it was not yet too late for the Government to give satisfaction on this point. If it could not, then he should vote against the Government.

MR. JOHN WARD (Stoke-on-Trent) understood that the position of the hon. Members for Leicester and Burnley was that they wished to lighten the blow to the people employed in this business by at least not interfering with those at present engaged in it. That meant that for at least a good part of the life of some 27,000 women they would be allowed to continue in the business that both his hon. friends declared to be in a state of moral filth. He could understand if they boldly declared that this was a dangerous trade that ought to be scheduled or suppressed, but it was clear they did not believe it was such a terrible business or they would not be in favour of its merely remaining for this generation. They would take their courage in both hands and be in favour of suppressing it at once. He hoped the question would not be decided on the ground of whether they were temperance advocates or not. They were discussing this from the public point of view, weighing up the dangers of the exclusion of these women from this particular occupation, and trying without heat or vindictiveness on either side to see whether the advantages to be gained by preventing women working as barmaids counter-balanced the possible evils that might accrue. He took it for granted that every Labour Member and every democrat agreed that where it was proved beyond doubt that a trade physically injured the women engaged in it and their offspring they ought to step in and regulate the business as far as possible. He supposed that for the last 100 years there had been barmaids, but it was only recently that the idea had developed that it was a sort of moral leprosy to get behind the bar. If the Government dropped the omission of the clause he should vote against them, because he believed the evils which would result would greatly counterbalance the good that was hoped from the exclusion of women. Again, the suggestion that the fact of there being a high vote of mortality among the women and their children was a sufficient justification for stopping an avenue for their labour could not be entertained for a moment. There were some textile trades employing thousands of women in which the tendency to abortion and miscarriage and to the production of crapulous and ricketty children was really more pronounced than in this trade. There was a trade in the locality which he represented, the evil effects of which might be much more pronounced than that they were dealing with. The other suggestion that the fact that the women employed in this business were brought into close contact with men was sufficient justification for excluding them, could be applied to almost every industry where women labour was engaged. It was not so very long ago that a well-meaning clergyman in his locality preached some famous sermons on the devil in the Potteries, proving to his own satisfaction that the mere fact that women congregated together with men on the pot-bank created a disgraceful position of affairs, and that it was time the State stepped in and prevented women associating with men in any kind of labour. That seemed the logical deduction from the speeches he had been listening to. He supposed the fraternity of feeling between the seller and the buyer over the tea-bar did not strike his friends' imagination so peculiarly as in the trade to which they happened to be opposed. They must clear away all preconceived notions, and not mix up the object that was sold with the seller. If they declared that when one had to sell an article one was brought into communication with the opposite sex under such conditions as were positively dangerous to the moral atmosphere of both parties, the same thing applied to one kind of decoction as to another. It seemed there was nothing wrong except what hon. Gentlemen had decided in their own minds must be wrong under any circumstances. He was not prepared to take second place to either of his hon. friends in wishing to defend the womanhood of the country. If he thought good would be done and no harm would accrue, and that it was a danger to the nation and the people engaged in the trade, he would go to any extent to suppress it, but he was afraid if they turned women out of first one avenue of labour and then out of another they would create difficulties and dangers and a moral disease a thousand times worse than that they were suppressing. For that reason he should certainly support the Government in their proposition to exclude this particular paragraph from the Bill.

*MR. LEIF JONES (Westmoreland, Appleby) said there was no proposal in this section, as far as he was aware, to turn 27,000 women out of employment. Hon. Members who were opposing the section and supporting the action of the Government in dropping it were speaking as if the action would at once settle the whole question of barmaids. The section did nothing of the kind. Left as it now stood the section simply gave to the justices the power to regulate the conditions under which the employment of women should be carried on, and also, if they thought fit, to prevent women being employed in specified public-houses, or in all of them. That was a very different proposition from that against which hon. Members were arguing. He was a good deal surprised at the line which was taken by those who were opposing the paragraph. The Prime Minister in his statement said he did not think that anybody would question that public opinion was ripening against the employment of women in bars, and he said he was leaving the paragraph out not because he did not think legislation necessary, but because he thought it inexpedient to deal with the question in the present clause. He disagreed with him, but that was a very different thing from thinking—as some of the speakers appeared to imply—that there was nothing wrong in the conditions under which women were employed in bars. The hon. Member for Blackpool did not suggest that there were any evils which needed remedy He seemed to think there were no evils at all associated with the employment of barmaids.

MR. ASHLEY: What I tried to convey was that I thought it quite wrong that a bench of magistrates should have the power of saying to a grown-up woman that she should not gain her livelihood in a house which was licensed by these magistrates as being respectable.

*MR. LEIF JONES said the hon. Member showed no realisation of the very great evils associated with the employment of barmaids in certain parts of the country, especially in great cities. In London some of the licensed houses were open for 123½ hours a week, and it was no uncommon thing for women to be about their employment for nearly all the hours the houses were open. He did not mean that they were on duty for 123 hours. They got a short rest during the day, but there were many cases in which they were working over 100 hours a week. A woman in charge of a restaurant bar told him the other day that she was on duty for seventeen hours a day on week-days and some hours on Sundays. There were many bars where barmaids were on duty for 100 hours a week. Hours like that ought not to be worked by a woman. If they could not deal with it in this section he asked the Government whether they were going to deal with an evil such as this in some other way instead of leaving it to the discretion of the justices. As the matter stood now they would be able to do nothing for the barmaids during the fourteen years of the time-limit. Of course, after the fourteen years the power would come into the hands of the justices. They would have full discretion with regard to barmaids and other matters. He recognised that they were dealing with a temporary state of things, But they could not afford to wait fourteen years longer without dealing with these long hours and bad conditions. They must remember that barmaids were not able to protect themselves. The great evils associated with the trade were undeniable. It was a dangerous trade, dangerous to life and dangerous in causing disease. The death rate from alcoholism was the highest amongst publicans, and according to the statistics published by the Registrar-General they died of alcoholism seven and a half times faster than other occupied males. They had not got the figures for the barmaids, but no doubt they shared to the full the unfortunate effects of the conditions of life in which they lived. Over 18,000 girls under twenty-five years of age were employed as barmaids, and many of them had to work over 100 hours per week. Was it surprising that those young women were often driven to taking stimulants in order that they might get artificial strength to go through their terribly hard work? Consequently they were subject to all the diseases which flowed from alcoholism. Then again it was a dangerous employment morally. It was a delicate question to talk about, but it was well known that those girls were not employed because they were more suited to do the work than men. In many respects the work was more suitable for men because much of it was heavy work, and very often by employing girls a much larger staff had to be engaged than would be necessary if only men were employed. Girls were employed in bars not because they were more suited to the work, or because they were cheaper, but as an artificial attraction to induce men to go there.

MR. W. THORNE (West Ham, S.): That does not say much for the men.

*MR. LEIF JONES contended that men behaved in bars as they did not behave elsewhere, and allowed themselves great liberties.

MR. F. E. SMITH (Liverpool, Walton): No.

*MR. LEIF JONES said the hon. Member's experience was different from his own. Over and over again he had felt his blood boil at the way in which men had treated the unfortunate girls, who could not get away from their unwelcome attentions. The hon. Member opposite shut his eyes to all those facts. Those girls were exposed to great evils, long hours, and bad surroundings, moral and physical. They could not protect themselves because they could not form effective trade unions. They were mostly inexperienced girls, and 18,000 of them were under twenty-five. No training was required for the work of a barmaid. As a rule she got no training, and if she happened to be discontented with her position there were any number of untrained girls ready to take her place. She could not say to her employer: "These conditions are distasteful to me," because he would reply: "Very well, you may go; there are plenty more." These girls changed their situation very often; the average stay in one place did not exceed six months. After the age of twenty-five they were not welcome as barmaids, and when they left there was no after-career for them. Mistresses and employers were apt to think worse of public-house surroundings than some hon. Members, and they were not very ready to employ girls in other more healthy employment after they had served in a public-house bar up to the age of twenty-five. He and those who acted with him were not actuated by any enmity towards these women, but they believed the employment was not good for them. He was certain that public opinion in this country was rapidly following public opinion in America, Canada, and the Colonies, and would before long determine that women should no longer be exploited in the bars of public-houses.

MR. F. E. SMITH said that so far as he was concerned he would certainly support the Government in this particular division. He was not surprised that there had been a little unrest shown below the gangway in consequence of the present attitude of the Government. He did not understand why, if the Government were not to persevere in their proposals for regulating the employment of barmaids, they should have introduced them into the Bill, and caused great unrest amongst the class employed in the bars at the present day. He could not appreciate the argument. Perhaps he might be allowed to point out in a House which did not pay too little attention to trade unions, that the barmaids had such a union of their own, and by an overwhelming majority they had declared themselves against the proposal contained in this clause, and against the views of some hon. Members below the gangway. The hon. Member for Westmoreland had spoken on this question with very great sincerity and earnestness, and he was sure that no member of the Committee desired to speak in any way disrespectfully of the views he had expressed. But when he came to consider the arguments by which the hon. Member commended those views to the Committee, he found it very difficult to appreciate their force. The hon. Gentleman said that the Bill did not deal with the future of barmaids.

*MR. LEIF JONES said his statement was that there was no question of immediately and totally prohibiting the employment of barmaids.

MR. F. E. SMITH said it was obvious that if the licensing justices took the view that it was wrong, 27,000 women who were earning their living to-day would be deprived of the opportunity in the future. It was said that the hours of employment of these women were such as to shock the consciences of Members of the House, and generally of humane persons, but that was an entirely false point to make when they were discussing as to whether barmaids should be employed. If the hours were too long, then a Bill ought to be introduced to regulate the hours. They must not confuse the main question. The hon. Member for Westmoreland further said that these women belonged to a class who could not protect themselves. But the question of the employment of barmaids formed no small part of the topics before the electors at Manchester. The opposition of the barmaids to the President of the Board of Trade at the recent election in Manchester was undoubtedly not such as to suggest that they were unable to protect themselves, and he did not think the right hon. Gentleman would encourage the hon. Member for Westmoreland in that view. His hon. friend behind him played a considerable part in the Manchester election, and if he were to communicate his views to the Committee he would say that the opposition of the barmaids to the candidature of the President of the Board of Trade was undoubtedly not such as would suggest the conclusion that they were unable to protect themselves. The Government, by withdrawing this clause, showed that they agreed with that contention. The hon. Member had further contended that publicans died in a ratio of mortality largely in excess of that of other classes. That was not relevant to the question before the Committee, unless it was shown that female mortality in public-houses amongst the barmaids was higher than the mortality amongst the men employed there. No figures had been brought forward to prove that contention. He denied that there were any statistics which would show that there was any higher degree of mortality or disease among barmaids in public-houses than amongst other young women employed in other capacities in any other class of life. The hon. Member opposite had said that his blood had frequently boiled when he had seen the way barmaids were treated behind the counter. On this point he was not going to enter into any general controversy with hon. Members whose experience might be greater than his own, but he denied that the young women who earned their living as barmaids were treated with less respect than other young women employed in such places as the A.B.C. shops, or on the music-hall stage, or in a hundred other ways with which the Government did not propose to interfere. He challenged the statement of the hon. Member that barmaids were treated with less respect than other young women. Were hon. Members prepared to maintain that the employment of women behind bars was more objectionable than the employment of women on the music-hall stage? He had referred to the subject of the music-hall stage, but one might generalise a little further than that. Were those hon. Gentlemen below the gangway, who were so extremely concerned that women should not be employed behind the bars because they were subject to rudeness on the part of men who went there, in favour, or not in favour, of women being allowed to perform on the music-hall stage? He did not know, but some of the hon. Members might inform the Committee in the course of the debate. To be strictly logical they were bound to oppose the employment of women on the music-hall stage. They said their blood had been made to boil by the way in which they had heard women addressed in bars. He did not know whether their sensitiveness on questions of social morality had carried them behind the scenes in music-halls, but he would be surprised if any Member were to come forward and say that women were better treated on the music-hall stage, and exposed to fewer temptations there than behind public-house bars. Neither the Government nor hon. Members below the gangway were prepared even to suggest that women should not be employed there. How false was the social standard they were attempting to apply to public-house bars! It was a melancholy fact that many women of the working class were under the painful necessity, which everyone must profoundly deplore, of earning their living. Under the circumstances, he thought there was no one who was not sorry that it was necessary for any woman to earn her living in that way. Whether they took public-house bars or cognate employments, they were open to the same objections. He would ask the Committee to consider a point which had not yet been mentioned in the debate. We lived in times which distinguished them from the prosaic days of the past. He thought the Prime Minister would not dissent from that proposition. At nearly every meeting held, whether it was a bazaar or a public meeting, there was extreme embarrassment from the presence of suffragettes. They would say they were now passing laws affecting their interests, and that they were excluded from the discussion. Under these circumstances, they were going to arm these women, to whom they were not giving the vote, although a majority of the House were pledged to support female suffrage, with a further argument. The supporters of the paragraph were going to say that they would adopt a principle which would take away from 27,000 women in this country the right to earn their own living. Such a proposal was a piece of monstrous tyranny in a House which was elected on a promise to give females votes. He believed it was profoundly ill-judged to come forward in the alleged cause of morality in a House in which the female vote was not represented and take a course which would turn 27,000 women away from bars to other employments. If the women turned to more regrettable employments, hon. Members who were supporting this paragraph would be largely responsible. They were doing that in the case of women who were denied a voice in the decision. That was a course which hon. Members would find it extremely difficult to defend in the country. These women had been slandered in the course of the campaign in the country, and by some of the speakers in the debate. He did not pretend to have so close an acquaintance with the habits of barmaids as some hon. Members, but he would say that they were well educated, as moral in their habits, and as well deserving of protection in their desire to earn their own living as any class of women in other walks of life. A lady who had made herself responsible in the country for defending the employment of women in bars had given him particulars of some individual cases. He could assure hon. Gentlemen that there were not many women who liked the occupation. [MINISTERIAL cheers.] Was that a serious argument against the system in the race of competition which was to be found in the twentieth century? Because either women or men did not like their employment, was that a reason why the House of Commons should cheer the statement and hound them out of that employment? One of the cases brought to his notice was that of a woman who was supporting relatives who had no other means of support. There were easy philanthropists who would reform society at the expense of other people, men who said their blood boiled when they went into public-houses and heard how women were spoken to, but was there one of them who would come forward and say how these women were to earn their livelihood if they were turned out of the public-houses?

DR. RUTHERFORD: I would suggest that they should be introduced into the legal profession.

*MR. F. E. SMITH said they were dealing at present with a proposal which involved a serious invasion of the conditions under which these women earned their living. Did the hon. Gentleman think that what he had said was a worthy interruption? He thought that on reflection the hon. Gentleman would see that it was not. He would resist this proposal, and he was glad that the Government were withdrawing it. He was sure that in withdrawing it they would at least have the satisfaction of refusing to include in their Bill a claim which had no argument behind it, which had nothing but prejudice behind it, and on behalf of which no real statistics had been produced showing that it was a change which was desirable in the interest of the morality of this class of the community.

MR. GEORGE ROBERTS (Norwich) said that after the speech of his hon. friend the Member for Leicester he felt that he ought to take the opportunity of saying that the Labour Party were divided on this matter. The argument as to the restriction of the hours of labour were just as applicable to other forms of female labour. He had spent a great deal of time in temperance hotels all over the country, and he had found that the hours of female labour therein were just the same as in other hotels. Underlying the subject was the notion that there was something immoral in a public-house. He regretted that some of his friends had occasionally found themselves where the atmosphere was disgusting and the language abominable. But women in other occupations were sometimes subjected to the same sort of temptations. He knew something of factory life, and he believed that workers there were not altogether immune from immoral temptations. They had also heard something of the living-in system. For his own part he did not believe that a public-house was a sink of iniquity. He had given this Bill general support throughout, because there was much good in it, and he wished to see it placed on the Statute-book. He had contemplated the Bill as one having for its purpose the purifying and elevating of the public-houses, but if they were the immoral places some hon. Members would have the Committee believe, they ought to be abolished altogether. He did not often agree with the hon. Member for the Walton division, but on this occasion he associated himself with what he had said in regard to the making of laws for women who were not represented. He believed that if the Government were to pass this proposal a great impetus would be given to the woman suffrage movement. The Committee ought to give due heed to the accredited representatives of barmaids on this matter. It seemed to him most inconsistent to propose that this matter should be left in the discretion of the justices of the peace. If public-houses were immoral they ought to eliminate female labour there altogether. If a barmaid's occupation was immoral in Norwich it was equally immoral in London, and it ought not to be left to the discretion of the local justices to decide whether or not barmaids should be employed in public-houses. He did not believe that a barmaid's occupation was more immoral than other forms of female employment. These barmaids lived under the same roof as the publican. They mixed with the publican's wife and daughters, and he had yet to learn that the publican's wife and daughters were more immoral than other members of the community. This agitation had been fostered by the Grundys and Chadbands in the country. He was not in any way impugning the motives of hon. Gentlemen in the House, but he had some acquaintance with those who had played a prominent part in this agitation; and he strongly deprecated the party with which he was associated being led to extremes in the matter. Temperance reform would suffer if they carried such restrictions as were proposed. He most heartily appreciated the wise and statesmanlike decision of the Prime Minister to omit this paragraph from the Bill, and he believed that the right hon. Gentleman had on this occasion fairly interpreted the desires of a considerable majority of the Members of the Committee. He had great pleasure in supporting the Government on this matter, with the understanding that no modification of their views would take place in the course of their reply to the discussion. He knew that his hon. friend the Member for Leicester had a highly persuasive may with him, and he could quite conceive it possible that if that hon. Gentleman's speech had stood alone the Government would have been greatly impressed with it, and with the idea that it had much more influence behind it than it really had. He felt he was just as much entitled to speak in the name of labour on this matter as any other Member, and he hoped that this paragraph would be deleted.

Sir S. EVANS said he did not propose to enter into the merits of this question, but he would relieve at once the concern of the hon. Member for Norwich by saying that the mind of the Government was what it was at the commencement of the sitting when the Prime Minister made a speech which could hardly be described as a "mere perfunctory statement." He thought it was quite full and explicit, and that was the reason why he had moved the Amendment formally. Time did not admit of the discussion of the merits of the question, and he rather wished to state to the Committee what the exact situation was with reference to this particular Amendment. They had heard arguments in favour of the limitation of the hours of women engaged in public-houses, and his hon. friend behind him had expressed the opinion that their hours were far too long. He was not there to deny that that might be so, but that was not an occasion for discussing whether or not the hours of women engaged on licensed premises should be reduced. Other considerations of a similar kind had been advanced by speakers in various parts of the House, but one thing was pretty clear, viz., that the Government had shown that they appreciated the real views of the House of Commons upon this complicated and very difficult question. Let him say, first of all, that, though many attacks had been made upon the drink traffic and upon the association of girls and women with it, certainly there had not been given to the Committee many cases to bear out the wholesale condemnation of the morals and conduct of the women engaged in the trade. He agreed entirely with what the Prime Minister had said, that the trade in which they were engaged, and, which perforce they were engaged in by the stress of circumstances, was one which led to temptation, but it stood out that on the whole the character of the women engaged did not deserve the wholesale condemnation levelled against it. It was essentially a question on which further statistics ought to have been obtained before they legislated compulsorily on the subject. The Licensing Commission Reports had been constantly referred to — both the Majority and the Minority Reports—but he thought he was right in saying that the Commission did not collect such statistics or information as would entitle the House of Commons compulsorily to prevent these women being engaged in public-houses.

MR. LEIF JONES: The Minority Report recommended the proposal which the Government placed in their Bill.

SIR S. EVANS said he did not think that that was so. Now the situation in which they found themselves was this. It was conceded by everyone who had argued against the Government that on this occasion nothing was to be done to disturb the 27,700 barmaids now employed. If the trade was as dangerous as it was declared to be by some speakers, surely it was not right to keep these 27,700 barmaids in their present employment. The hon. Member for Leicester did not even propose to give the justices the right to say in the future whether these women were to be dispossessed. If the Amendment were rejected and the original provision under paragraph (*a*) remained, the only thing which could be done in regard to future employment only would be to allow some magistrates somewhere to make some conditions with regard to the employment of women.

*MR. RAMSAY MACDONALD said that the Government had promised to amend the clause on that very point, on the suggestion of the deputations which waited upon them.

SIR S. EVANS said that he was speaking of what the effect would be if the Amendment were rejected and paragraph (*a*) remained in the Bill. In future in certain cases the magistrates, by restrictive conditions, might curtail the employment of women in some of these houses. The position on the other hand was that fourteen years hence the justices would have an unlimited discretion to deal with the whole question. Was it right or expedient in the present state of things with reference to the next fourteen years to maintain the provision which was originally incorporated in the Bill? The experience of America had been referred to. He believed it was a fact that there were some few States in America which had legislated against the employment of barmaids in licensed premises, but the solid fact in America on this subject was that it was public opinion which had made it impossible for these women to be engaged in licensed houses. His final observation to the hon. Members on that side of the House, who had pressed the Government not to delete these words was this: The state of the question being what it was, both on the ground of want of other employment in other careers, and the fact that if the provision in the Bill which he asked the Committee to delete were retained, it would have practically an inappreciable effect during the next fourteen years, whereas, on the other hand, at the end of fourteen years the justices would have the fullest discretion to deal with the subject—this consideration caused him to appeal to his hon. friends, and at the same time to say that the best thing to do in this matter was what had been done in America—viz., to educate public opinion so that at the end of fourteen years the discretion to which he had alluded would be exercised in a way which would commend itself to his hon. friends. He was not appealing to the other side of the House at all, but to his own; and having regard to these considerations he appealed to his hon. friends to stick to the Government.

*MR. ELLIS GRIFFITH (Anglesey) said the Solicitor-General had stated that the public would approve of the view of the Assembly as a whole. There was only one way of testing that. Let the Government give a free hand to the Committee to vote as they wished. They would never get the opinion of the Assembly as a whole with the Government Whips on. He trusted that the Government in this matter would leave the Committee with a free hand and let them express their wishes.

MR. LEIF JONES said he had interrupted the Solicitor-General by saying that the Minority Report of the Licensing Commission had recommended the exclusion of barmaids from licensed premises. He found he was mistaken in making that statement.

MR. HEMMERDE said he associated himself with what the hon. Member for Anglesey had said, and in that he had the full support of the right hon. Gentleman the President of the Board of Trade. He stood there in harmony with the opinion of English people all over the world that women should be excluded from employment in public-houses. He supported the provision which the Government originally brought forward, and he should vote for it in the division.

Question put.

The Committee divided. Ayes, 61; Noes, 294. (Division List No. 316.

AYES.

Baker, Joseph A.(Finsbury, E.)
Beauchamp, E.
Black, Arthur W.
Boulton, A. C. F.
Burt, Rt. Hon. Thomas
Channing, Sir Francis Allston
Clough, William
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W
Cotton, Sir H. J. S.
Crooks, William
Dunn, A. Edward (Camborne)
Edwards, Enoch (Hanley)
Fenwick, Charles
Findlay, Alexander
Fullerton, Hugh
Gibb, James (Harrow)
Gooch, George Peabody (Bath)
Griffith, Ellis J.
Gulland, John W.
Gurdon, Rt Hn. Sir W. Brampton
Harvey, W. E. (Derbyshire, N.E.
Hemmerde, Edward George
Henderson, Arthur (Durham)
Higham, John Sharp
Holt, Richard Durning
Hope, W. Bateman (Somerset, N
Howard, Hon. Geoffrey
Hudson, Walter
Jackson, R. S.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Luttrell, Hugh Fownes
Macdonald, J. R. (Leicester)
Mackarness, Frederic C.
MacVeagh, Jeremiah (Down, S.
M'Callum, John M.
Maddison, Frederick
Marks, G. Croydon (Launceston)
Marnham, F. J.
Menzies, Walter
Money, L. G. Chiozza
Morrell, Philip
O'Donnell, C. J. (Walworth)
Richards, Thomas (W. Monm'th
Richards, T. F. (Wolverh'mpt'n
Roberts, Charles H. (Lincoln)
Robinson, S.
Spicer, Sir Albert
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Toulmin, George
Vivian, Henry
Wedgwood, Josiah C.
White, Sir George (Norfolk)
Wiles, Thomas
Wilson, John (Durham, Mid)
Wilson, P. W. (St. Pancras, S.)

TELLERS FOR THE AYES—Dr. Rutherford and Mr. Hodge.

NOES.

Acland, Francis Dyke
Acland-Hood, Rt Hn. Sir Alex. F
Allen, Charles P. (Stroud)
Arkwright, John Stanhope
Armitage, R.
Ashley, W. W.
Ashton, Thomas Gair
Asquith, Rt. Hn. Herbert Henry
Astbury, John Meir
Baldwin, Stanley
Balfour, Rt Hn. A. J. (City Lond.)
Balfour, Robert (Lanark)
Banbury, Sir Frederick George
Baring, Godfrey (Isle of Wight)
Baring, Capt. Hn. G (Winchester
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Beach, Hn. Michael Hugh Hicks
Beale, W. P.
Beckett, Hon. Gervase
Bell, Richard
Bellairs, Carylon
Benn, W. (T'w'r Hamlets, S. Geo.
Berridge, T. H. D.
Bethell, Sir J. H. (Essex, Romf'rd
Bethell, T. R. (Essex, Maldon)
Bignold, Sir Arthur
Birrell, Rt. Hon. Augustine
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Bridgeman, W. Clive
Brigg, John
Brocklehurst, W. B.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Buckmaster, Stanley O.
Bull, Sir William James
Burns, Rt. Hon. John
Butcher, Samuel Henry
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Cameron, Robert
Campbell, Rt. Hon. J. H. M.
Carlile, E. Hildred
Carr-Gomm, H. W.
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Causton, Rt. Hn. Richard Knight
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Chamberlain, Rt Hn. J. A. (Worc.
Cheetham, John Frederick
Churchill, Rt. Hon. Winston S.
Clark, George Smith
Clynes, J. R.
Cobbold, Felix Thornley
Cochrane, Hon. Thos. H. A. E.
Collings, Rt. Hn. J. (Birmingh'm
Compton-Rickett, Sir J.
Corbett, C. H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Courthope, G. Loyd
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Craik, Sir Henry
Cross, Alexander
Crossley, William J.
Dalziel, James Henry
Davies, David (Montgomery Co.

Davies, Sir W. Howell (Bristl,S
Dewar, Arthur (Edinburgh, S.)
Dickson-Poynder, Sir John P.
Douglas, Rt. Hon. A. Akers-
Duckworth, James
Du Cros, Arthur Philip
Duncan, C.(Barrow-in-Furness
Duncan,Robert(Lanark,Govan
Edwards, Sir Francis (Radnor)
Ellis, Rt. Hon. John Edward
Esslemont, George Birnie
Evans, Sir Samuel T.
Everett, R. Lacey
Faber, George Denison (York)
Fardell, Sir T. George
Fell, Arthur
Ferguson, R. C. Munro
Fletcher, J. S.
Fuller, John Michael F.
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Glen-Coats,Sir T.(Renfrew, W.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch,Henry Cubitt(Peckham)
Goulding, Edward Alfred
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Gretton, John
Grey, Rt. Hon. Sir Edward
Guinness,Hon.R. (Haggerston)
Guinness,W.E. (Bury S. Edm.)
Haldane, Rt. Hon. Richard B.
Harcourt,Rt.Hn.L.(Rossendale
Harcourt,Robert V.(Montrose)
Hardie,J.Keir(Merthyr Tydvil)
Harris, Frederick Leverton
Harrison-Broadley, H. B.
Hart-Davies, T.
Harwood, George
Haworth, Arthur A.
Hazel, Dr. A. E.
Hedges, A. Paget
Helmsley, Viscount
Henderson,J.M.(Aberdeen, W.)
Henry, Charles S.
Herbert,Col.Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Hill, Sir Clement
Hobart, Sir Robert
Hobhouse, Charles E. H.
Holland, Sir William Henry
Hooper, A. G.
Horniman, Emslie John
Horridge, Thomas Gardner
Houston, Robert Paterson
Hunt, Rowland
Hyde, Clarendon
Isaacs, Rufus Daniel
Jardine, Sir J.
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Keswick, William
Kimber, Sir Henry
King, Alfred John (Knutsford)
Lambert, George
Law, Andrew Bonar (Dulwich)
Lea, Hugh Cecil (St.Pancras,E.
Leese,Sir Joseph F.(Accrington
Lehmann, R. C.

Lever,A.Levy (Essex, Harwich
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Long,Rt.Hn.Walter (Dublin,S)
Lonsdale, John Brownlee
Lough, Rt. Hon. Thomas
Lowe, Sir Francis William
Lupton, Arnold
Lyell, Charles Henry
Lynch, H. B.
Lyttelton, Rt. Hon. Alfred
MacCaw,William J. MacGeagh
Macdonald,J.M.(Falkirk B'ghs
Macnamara, Dr. Thomas J.
M'Arthur, Charles
M'Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren, H. D. (Stafford, W.)
Magnus, Sir Philip
Manfield, Harry (Northants)
Markham, Arthur Basil
Marks, H. H. (Kent)
Mason, James F. (Windsor)
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Montgomery, H. G.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen
Morpeth, Viscount
Morrison-Bell, Captain
Morton, Alpheus Cleophas
Murray,Capt.Hn.A.C.(Kincard.
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Nicholson,Charles N.(Doncast'r
Nicholson, Wm. G.(Petersfield)
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Patrick (Kilkenny)
O'Grady, J.
Parker, Sir Gilbert (Gravesend)
Parker, James (Halifax)
Partington, Oswald
Paulton, James Mellor
Pearce, William (Limehouse)
Pease,Herbert Pike(Darlington
Pickersgill, Edward Hare
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Price,Sir Robert J.(Norfolk, E.)
Priestley, Arthur (Grantham)
Rainy, A. Rolland
Randles, Sir John Scurrah
Ratcliff, Major R. F.
Rawlinson,John Frederick Peel
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Remnant, James Farquharson
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Roberts,S.(Sheffield,Ecclesall)
Robertson,Sir G.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Roe, Sir Thomas
Rogers, F. E. Newman
Ronaldshay, Earl of
Rose, Charles Day
Rothschild,Hon.Lionel Walter

Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Salter, Arthur Clavell
Samuel, Herbert L. (Cleveland)
Sandys, Lieut.-Col. Thos.Myles
Sassoon, Sir Edward Albert
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Scott,A.H.(Ashton-under-Lyne
Scott, Sir S. (Marylebone, W.)
Shaw, Rt. Hon. T. (Hawick B.)
Sherwell, Arthur James
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smith,Abel H.(Hertford, East)
Smith,F.E. (Liverpool, Walton
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Stanger, H. Y.
Stanier, Beville
Starkey, John R.
Staveley-Hill, Henry (Staff'sh
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Summerbell, T.
Talbot, Lord E. (Chichester)
Talbot,Rt.Hn.J.G.(Oxf'dUniv.
Tennant,Sir Edward(Salisbury
Tennant, H. J. (Berwickshire)
Thomas, David Alfred(Merthyr
Thomasson, Franklin
Thorne, William (West Ham)
Trevelyan, Charles Philips
Tuke, Sir John Batty
Valentia, Viscount
Verney, F. W.
Walker, H. De R.(Leicester)
Walker,Col.W.H. (Lancashire)
Walsh, Stephen
Walton, Joseph
Ward, John (Stoke-upon-Trent
Warde, Col. C. E. (Kent, Mid)
Wardle, George J.
Warner, Thomas Courtenay T.
Wason,Rt.Hn.E.(Clackmannan
Wason,John Cathcart (Orkney)
Watt, Henry A.
Whitbread, Howard
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Wilkie, Alexander
Williams, J. (Glamorgan)
Williams,Llewelyn(Carmarth'n
Williams, Osmond (Merioneth)
Williamson, A.
Willoughby de Eresby, Lord
Wills, Arthur Walters
Wilson, A. Stanley (York,E.R.)
Wilson, J. H. (Middlesbrough)
Wilson, W. T. (Westhoughton)
Winfrey, R.

Wood, T. M'Kinnon
Wortley, Rt. Hon. C. B. Stuart
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George
Yoxall, James Henry

TELLERS FOR THE NOES—Mr. Joseph Pease and Master of Elibank.

Remaining words of Paragraph (*a*) omitted.

And, it being after half-past Ten of the Clock, the CHAIRMAN proceeded, pursuant to the Order of the House of 17th July, to put forthwith the Question necessary to dispose of the business to be concluded this day.

Question put, "That the clause, as amended, stand part of the Bill."

The Committee divided:—Ayes, 293; Noes, 99. (Division List No. 317.)

AYES.

Acland, Francis Dyke
Adkins, W. Ryland D.
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Ashton, Thomas Gair
Asquith, Rt. Hn. Herbert Henry
Astbury, John Meir
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Beale, W. P.
Beauchamp, E.
Beaumont, Hon. Hubert
Bell, Richard
Bellairs, Carlyon
Benn, Sir J. Williams (Devonp'rt
Benn, W. (T'w'r Hamlets, S. Geo.
Berridge, T. H. D.
Bethell, Sir J. H. (Essex, Romf'rd
Bethell, T. R. (Essex, Maldon)
Birrell, Rt. Hon. Augustine
Black, Arthur W.
Boulton, A. C. E.
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Causton, Rt Hn. Richard Knight
Channing, Sir Francis Allston
Cheetham, John Frederick
Churchill, Rt. Hon. Winston S.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W
Compton-Rickett, Sir J.
Corbett, C. H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crooks, William
Crossley, William J.
Dalziel, James Henry
Davies, David (Montgomery Co.
Davies, Timothy (Fulham)
Davies, Sir W. Howell (Bristol, S.
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras, N
Dickson-Poynder, Sir John P.
Duckworth, James
Duncan, C. (Barrow-in-Furness)
Dunn, A. Edward (Camborne)
Edwards, Enoch (Hanley)
Edwards, Sir Francis (Radnor)
Ellis, Rt. Hon. John Edward
Esslemont, George Birnie
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Findlay, Alexander
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Glen-Coats, Sir T. (Renfrew, W.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Gulland, John W.
Gurdon, Rt Hn. Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Harcourt, Rt Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardie, J. Keir (Merthyr Tydvil)
Harmsworth, Cecil B. (Wor'c'r
Harmsworth, R. L (Caithn'ss-sh
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey, W. E. (Derbyshire, N. E
Harwood, George
Haworth, Arthur A.
Hazel, Dr. A. E.
Hedges, A. Paget
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Holland, Sir William Henry
Holt, Richard Durning
Hooper, A. G.
Hope, W. Bateman (Somerset, N.
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Isaacs, Rufus Daniel
Jackson, R. S.
Jardine, Sir J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich)
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Rt. Hon. Thomas
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah (Down, S.)
M'Callum, John M.
M'Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Manfield, Harry (Northants)

Markham, Arthur Basil
Marks,G.Croydon (Launceston)
Marnham, F. J.
Massie, J.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Money, L. G. Chiozza
Montagu, Hon. E. S.
Montgomery, H. G.
Morgan, G. Hay (Cornwall)
Morgan,J. Lloyd (Carmarthen)
Morrell, Philip
Morton, Alpheus Cleophas
Murray,Capt.Hn.AC.(Kincard.
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Nicholson,Charles.N.(Doncast'r
Norton, Capt. Cecil William
Nuttall, Harry
O'Donnell, C. J. (Walworth)
O'Grady, J.
Parker, James (Halifax)
Partington, Oswald
Paulton, James Mellor
Pearce, William (Limehouse)
Pickersgill, Edward Hare
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Price, C. E. (Edinb'gh, Central)
Price,Sir Robert J.(Norfolk,E.)
Priestley, Arthur (Grantham)
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro')
Rendall, Athelstan
Richards,Thomas(W.Monm'th)
Richards,T.F.(Wolverh'mpt'n)
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts,Sir John H.(Denbighs.)
Robertson,SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roe, Sir Thomas
Rogers, F. E. Newman
Rose, Charles Day
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann,Sir C. E.(Manchester)
Scott,A.H.(Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Shaw, Rt. Hon. T.(Hawick, B.)
Sherwell, Arthur James
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Summerbell, T.
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Tennant,Sir Edward(Salisbury)
Tennant, H. J. (Berwickshire)
Thomas, Sir A. (Glamorgan, E.)
Thomas,David Alfred(Merthyr)
Thomasson, Franklin
Thorne,G. R.(Wolverhampton)
Thorne, William (West Ham)
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Walton, Joseph
Ward,John (Stoke upon Trent)
Wardle, George J.
Warner,Thomas Courtenay T.
Wason,Rt.Hn.E(Clackmannan
Wason,John Cathcart (Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
Whitehead, Rowland
Whitley,John Henry (Halifax)
Whittaker,RtHn.Sir ThomasP.
Wiles, Thomas
Wilkie, Alexander
Williams, J. (Glamorgan)
Williams,Llewelyn(Carmarth'n
Williams, Osmond (Merioneth)
Williamson, A.
Willough de Eresby, Lord
Wills, Arthur Walters
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, P. W. (St. Pancras,S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Arkwright, John Stanhope
Ashley, W. W.
Baldwin, Stanley
Balfour,RtHn.A.J.(City Lond.)
Banbury,Sir Frederick George
Baring,Capt.Hn.G (Winchester
Beach,Hn.Michael Hugh Hicks
Beckett, Hon. Gervase
Belloc, Hilaire Joseph Peter R.
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Butcher, Samuel Henry
Campbell, Rt. Hon. J. H. M.
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil,Lord R.(Marylebone, E.)
Chamberlain,RtHn.J.A. (Worc.
Clark, George Smith
Cochrane, Hon. Thos. H. A. E.
Collings, Rt.Hn.J.(Birmingh'm
Courthope, G. Loyd
Craik, Sir Henry
Cross, Alexander
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Duncan, Robt.(Lanark,Govan)
Faber, George Denison (York)
Fardell, Sir T. George
Fell, Arthur
Fletcher, J. S.
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Gooch,Henry Cubitt(Peckham)
Goulding, Edward Alfred
Gretton, John
Guinness, Hon.R.(Haggerston)
Guinness, W.E.(Bury S.Edm.)
Harris, Frederick Leverton
Harrison-Broadley, H. B.
Hay, Hon. Claude George
Helmsley, Viscount
Hill, Sir Clement
Hope,James Fitzalan(Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Joynson-Hicks, William
Keswick, William
Kimber, Sir Henry
Law, Andrew Bonar(Dulwich)
Long, Rt.Hn.Walter(Dublin,S)
Lonsdale, John Brownlee
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
MacCaw, William J. MacGeagh
M'Arthur, Charles
Magnus, Sir Philip
Marks, H. H. (Kent)
Mason, James F. (Windsor)
Middlemore,John Throgmorton
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
O'Brien, Patrick (Kilkenny)
Parker,Sir Gilbert (Gravesend)
Pease,Herbert Pike(Darlington
Ratcliff, Major R. F.
Rawlinson,John Frederick Peel
Remnant, James Farquharson
Roberts, S.(Sheffield, Ecclesall)

Ronaldshay, Earl of
Rothschild, Hon. Lionel Walter
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Sandys, Lieut.-Col. Thos. Myles
Sassoon, Sir Edward Albert
Scott, Sir S. (Marylebone, W.)
Smith, Abel H. (Hertford, East)
Smith, F. E. (Liverpool, Walton)
Stanier, Beville
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.
Talbot, Lord E. (Chichester)
Talbot, RtHn. J. G(Oxf'rd Univ.
Tuke, Sir John Batty
Walker, Col. W. H. (Lancashire
Warde, Col. C. E. (Kent, Mid)
White, Patrick (Meath, North)
Wilson, A. Stanley (York, E.R.)
Winterton, Earl
Wortley, Rt. Hon. C. B. Stuart-
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE NOES—Sir Alexander Acland-Hood and Viscount Valentia.

Committee report progress; to sit again To-morrow.

LONDON ELECTRIC SUPPLY BILL [LORDS].

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

*MR. MORTON (Sutherland) said before this Bill was given its Second Reading he would like on behalf of the Corporation of London to say a few words. This Bill was to give powers to the various electricity supply companies to amalgamate and carry on their business in connection with each other. There were two electricity supply companies in the City of London, and if this Bill passed in its present form it would permit those two City companies to amalgamate without the consent of the Corporation. But that was the very thing it was desired to prevent. When the Bill conferring powers on the second company was before the House it was approved by the House on the recommendation of the Board of Trade, on the ground that it would be a protection to the citizens of London, in so far that there would be competition which would effectually prevent the supply of electric light and power being charged for at too high a rate. The consequence of the action of Parliament at the time was that the second company, the Charing Cross Company, as it was called, was allowed to carry its Bill into an Act. In that Act the Corporation obtained powers, also recommended by the Board of Trade, to purchase the company at the early date of 1914. That provision was inserted in the company's Bill for the protection of the City. In that part of the Act which permitted the Charing Cross Company to carry on its business in the City of London it expressly forbade the company's amalgamating themselves with any other company in the City of London. Although he had several strong objections to these Bills in its present shape, and still more if the proposed instruction by the Board of Trade was passed, he did not desire to move the rejection of the Bill at this stage because under the altered conditions, namely, the promise on the part of the Board of Trade to permit the House to have a free hand in considering these Bills on Report and Third Reading, if they could not obtain satisfaction before the Committee upstairs, they would be able to propose Amendments on Report and to oppose the Bill altogether on Third Reading. After all the fighting and trouble they had had in the City to get electric power and light on cheap and reasonable terms, it would be very hard on the citizens if that were to be taken away by Parliament simply for the benefit of the companies. No doubt, with proper precautions, the linking up of these companies might be of some use to the people, and all they desired was to ask Parliament to protect the citizens in their rights and privileges already granted by Parliament.

MR. COCHRANE (Ayrshire, N.) desired briefly to explain the provisions of the Bill, which he thought had not been quite properly put before the House. Whilst the House had been discussing this electric supply question for years, with the desire to get at a more perfect system, they had, in his opinion, rather neglected to take advantage of the means that lay at their hands for obtaining cheap electric power and light. London waited while they were searching for the impossible and not using the material at their hand. This Bill was a simple one, and contained only three operative clauses—Clauses 3, 5, and 9. Clause

9 was similar to that which appeared in every similar Bill. Clause 3 was absolutely necessary. Parliament in the early days, when it started to consider the provision and supply of electricity, thought it necessary to divide London into watertight compartments; to give the companies certain areas, and to forbid any company to associate itself with any other in any other area. From that policy very unfortunate circumstances arose. Only lately there was a breakdown due to some defect in the current on a system of trains and tube railways. Owing to the inability on the part of those who supplied the electricity to obtain from another company which was well equipped and well able to supply electricity to the train and tube railway system, the whole of the traffic on those systems was brought to a standstill on a Saturday afternoon. What he desired to point out was that here they had a number of companies, each by Act of Parliament confined to its own district and unable to come to the assistance of another company in difficulties. Power was taken in this Bill to enable them to do so. That was so desirable that he need not labour the point. Clause 5 was to enable a company to give a supply outside its own area. Under the Provisional Order of 1889 a company was unable to do this. He hoped after this explanation the Bill would not meet with any opposition. It could do nothing but good, and he believed in the end would reduce the price of electricity supplied.

Question put, and agreed to.

Bill read a second time, and committed.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. CHURCHILL, Dundee) moved: "That it be an instruction to the Committee to which the Bill is referred, that they have power to insert a provision constituting the London County Council the purchasing authority on equitable terms. That existing purchasing authorities or any other person affected by such a provision shall be entitled to be heard before the Committee upon any petition presented not later than 4th November." The Bill permitted the linking-up of the systems of thirteen electric companies supplying London. All these companies were subject to a purchase clause to come into operation in 1931. With this right of purchase fifteen local authorities were concerned, but questions of compensation for severance would arise not pleasant to contemplate, therefore to make the purchase rights really effective and economical there must be an endeavour to consolidate the purchase rights—a laborious detailed piece of work for the Committee. In the opinion of the Government the consolidated rights should be vested in the London County Council, after giving to the local authorities full opportunity to be heard in the interest of their ratepayers and their local claims to be fully appraised and adjusted. If the instruction were accepted by the Committee to which the Bill was referred, the consequence would be that the London County Council in 1931 would be possessed of the linked-up electrical system of the whole of the thirteen companies. He should hope that before 1931 it would be possible to link up the existing boroughs; and if they should be linked up—a process which would be facilitated by the Bill, because its promoters had agreed not to oppose any Bill of the boroughs who desired to link themselves up—then the London County Council would be possessed of the systems of both companies and boroughs, and, thus armed and equipped, would be in command and possession of the whole administration and supply of electricity within its area.

MR. MORTON: May I ask if the right hon. Gentleman proposes to take away the rights of the Corporation to purchase in 1914?

MR. CHURCHILL said every local body would have access to the Committee, and would be able to make their special case good with the Committee, which would adjust their case to the general interests of the public, but he undoubtedly proposed to consolidate all the existing purchase rights and vest them in the County Council.

MR. REMNANT (Finsbury, Holborn): May I ask whether municipal authorities will be treated on the same lines as private companies?

MR. CHURCHILL said everything should be linked up everywhere and if the boroughs brought forward proposals to link up among themselves he certainly thought the Board of Trade would do all in their power to assist them.

MR. REMNANT: In the matter of purchase, I mean.

MR. CHURCHILL: You cannot imagine the London County Council would purchase the borough rights if it only meant transferring the rights of one set of ratepayers to another.

LORD R. CECIL (Marylebone, E.): Under the terms of the instruction would the boroughs who are already in possession of the right of supplying electricity be entitled to be heard before the Committee if they desired, in criticism of the main part of the instruction? I am not quite sure whether, as the instruction is worded, they would. I anticipate the right hon. Gentleman would desire that the bodies which have an immense interest in the electric lighting of the Metropolis should be heard and should give the Committee the benefit of their experience and advice.

MR. CHURCHILL: It is most carefully framed to give all parties effective access to the Committee, and I believe it has achieved that end.

MR. W. THORNE (West Ham, S.) asked whether Barking and East Ham and West Ham would be in a position to be heard before the Committee. He understood that a generating station would be erected at Barking Creek.

MR. CHURCHILL said the hon. Member was turning his mind more particularly to another Bill which was already under the consideration of a Committee. There were three Bills dealing with London electricity. One dealt with the outside bulk supply, and the others were proposals for linking up certain groups of existing companies. It was with that second class of Bill that they were dealing now.

MR. CLAUDE HAY (Shoreditch, Hoxton) said the borough council undertakings had been created by the ratepayers of the boroughs and not by the ratepayers of London, and any loss which would result from any scheme arising out of the Instruction would not fall upon London as a whole, but upon the ratepayers of a particular borough. Had the right hon. Gentleman in any way safeguarded them from any undue pressure from the central body, because that was a matter of finance of the highest urgency and also of very great importance in the long run to London.

MR. CHURCHILL said his observations as to the future fortunes of the linked-up boroughs, if and when they were linked-up, were of a speculative and anticipatory character and were not relevant to these measures. The only thing they could do to that effect was to ask the promoters of the Bill not to offer objection to any such facilities being offered to a borough. As to what would be the future of the borough's supplies when they were consolidated, he did not think it would be wise or prudent to examine now. But although it might be only transference from borough to county ratepayers, in that respect equity must always rule their dealings, and if there were cases they would have, no doubt, to be adjusted.

Question put, and agreed to.

Ordered, That it be an Instruction to the Committee to which the Bill is referred, that they have power to insert a provision constituting the London County Council the purchasing authority on equitable terms. That existing purchasing authorities or any other person affected by such a provision shall be entitled to be heard before the Committee upon any Petition presented not later than 4th November.—(*Mr. Churchill.*)

MR. TIMOTHY DAVIES (Fulham) said the object of the Instruction he proposed to move was that the purchase price in 1931 should not be greater on account of the concessions proposed to be given. The meaning of the second part was that in case of any loss it should not come out of the funds of the ratepayers. This was not a new thing at all. Provisions had been inserted in the case of waterworks requiring to be linked-up in this way.

MR. RADFORD (Islington, E.) seconded.

Motion made, and Question proposed, "That it be an instruction to the Committee to which the Bill is referred to insert a clause making it clear: (1) That the companies shall not be entitled in the event of the purchase of their undertakings, to any additional sum by reason of the exercise of the powers by this Act authorising agreements between the said companies for mutual assistance or association; and (2) that the companies shall not be entitled, in the event of the purchase of their undertakings, to any sum in respect of any loss occasioned by severance from such undertakings of any mains or works laid or constructed under the provisions of this Act."—(*Mr. Timothy Davies*).

MR. CHURCHILL said that he did not recommend the House to adopt the Instruction. In 1931 the plant and property of the companies would pass to the purchasing authorities, but there would be no question of profits, dividends, prospective advantages, or goodwill. The companies would be purchased, not exactly under tramway terms, but for the value of their plant and their sites. The linking-up of a few more mains and connecting links might be carried out, and it was conceivable that the purchasing authority would have to pay something more in respect of these additions. This was obviously fair and just, because value was being obtained for the money in a more efficient electrical supply. The other point raised had reference to severance; but if the instructions already passed were carried out the whole linked-up system of the companies would be taken as a whole. It was not an inequitable or dangerous situation.

MR. TIMOTHY DAVIES said that after the explanation given by the President of the Board of Trade he would ask leave to withdraw his Instruction.

Motion, by leave, withdrawn.

MR. CLAUDE HAY moved, "That it be an Instruction to the Committee to insert such provisions in the Bill as will ensure that the powers proposed by the Bill to be conferred upon the London Electric Supply Companies shall be conferred also on the local authorities who are authorised distributors in the administrative County of London." He thought this Instruction was one which would be accepted by all responsible persons connected with the Bill. His object was to restore the Bill to the original condition in which it was presented by the promoters to the other House. They had already had experience of a very efficient system of an electrical undertaking in the Newcastle district, under which some eight different systems had been linked together. Recent events had shown that if they concentrated too greatly the supply of electricity they would be exposed to the danger of breakdowns such as that which recently occurred upon certain underground railways, and upon part of the London tramway system. As the main argument for his Instruction, he inquired why, where there were two persons living in the Metropolitan area, the one living in a district served by companies should enjoy the benefits of a linked-up system which would be denied to a resident in another district served by a municipal undertaking.

SIR WILLIAM BULL (Hammersmith) seconded.

MR. RADFORD, as a point of order, asked whether, they had any right to confer the powers suggested, inasmuch as the public authorities were not promoters of the Bill, were not necessarily opponents, and might not be before the Committee at all.

*MR. SPEAKER: It is not the right to purchase, but the right to link up which the hon. Member is proposing, and the right to link up was in the original Bill. If the House decides to adopt the Instruction moved by the hon. Member, then the Bill will be restored to its original condition. I have satisfied myself that this point is covered by the notices issued for the Bill, and this Instruction comes within the four corners of it. It is, therefore, in order.

Motion made, and Question proposed, "That it be an Instruction to the Committee to insert such provisions in the Bill as will ensure that the powers proposed by the Bill to be conferred upon the London Electric Supply Companies shall be conferred also on the local authorities who are authorised distributors in the Administrative County of London."—(*Mr. Claude Hay.*)

Mr. CHURCHILL said he did not wish to be taken by the House as being in any way opposed in principle to the general sense and tenour of the instruction. He agreed that it was desirable that the boroughs should have every facility for linking up all the electrical systems, but he was not sure whether the hon. Gentleman would not be putting upon the Committee a task which it would be very difficult to carry out, and which would be to some extent inappropriate. It was for them to bring forward their own scheme. It was not for a Committee sitting upstairs to elaborate such a scheme for the linking-up of the boroughs without the boroughs themselves first coming forward. He was not quite sure that the resulting plan, if the Committee carried out the behest of the hon. Gentleman, would be satisfactory or agreeable to the boroughs. At any rate, it would be a labour of great difficulty and complexity. He thought a much better way to proceed was that indicated by his right hon. friend the Member for West Islington on the next Bill, that was to say, that they should leave the future initiative of this linking-up of the boroughs to come from the boroughs. They should take this opportunity of binding these companies not at any future time to offer opposition to similar rights being conferred on the boroughs if they were afterwards asked by the boroughs.

Mr. LOUGH (Islington, W.) said he thought the intentions of the hon. Member for Hoxton were good, but he did not think he had been very happy in the way he proposed to carry them out. It would be extremely difficult to compel the Committee to put in a provision which would really help the borough councils in this matter. As far as they could go was to ask the companies to bind themselves not to oppose the Bill if the councils came forward with some proposals at a later date. The object which the hon. Member had in view was clear, and he suggested that he should agree to an Amendment in the form of that which he himself had put down with respect to the next Bill. He thought the promoters of the Bill would agree to accept that. If the hon. Member would agree to that, he would be very pleased to move an Amendment in the terms suggested.

Mr. CLAUDE HAY asked what the terms were.

Mr. LOUGH said the terms of the Instruction would be that a provision should be inserted in the Bill binding the promoters not to offer opposition to any future leglislative proposals that might be brought forward on behalf of the borough councils for such mutual assistance or association as this Bill conferred on the promoters.

Mr. BONAR LAW (Dulwich) thought the Board of Trade themselves introduced a Bill with the idea of giving these general powers. He suggested to the President of the Board of Trade that possibly the object they all aimed at would be arrived at if the proposal of his hon. friend was altered so as not to make it mandatory, but to give the Committee power, if they chose, to make this recommendation. He suggested that the words "if they think proper" should be inserted in the Instruction.

Mr. CHURCHILL thought this a very useful suggestion. Personally he preferred the form of words put forward by his right hon. friend the Member for West Islington; but it would not be possible to move such an Instruction to the Committee without notice. That being so, if there were a general preference for the Instruction which had been moved by the hon. Member for Hoxton, and that Instruction were not made mandatory, he thought that would meet the purpose.

SIR EDWIN CORNWALL (Bethnal Green, N.E.) feared that by taking the course suggested they might fail to achieve the object which they all desired, for the Committee might not see fit to insert in a private Bill a clause giving powers to local authorities. If the Instruction suggested by the right hon. Gentleman the Member for West Islington were agreed to, they would be safeguarded.

MR. BONAR LAW: Why not have both?

SIR EDWIN CORNWALL said if they had both his objection would fall to the ground. He asked the House not to assent too readily to the suggestion of the hon. Gentleman opposite, because by so doing they might lose both. He was strongly against inserting in a private Bill a provision giving powers of the kind proposed. Nothing could be more inconvenient than that borough councils should have to look into private Bills to see what their powers were. He understood the President of the Board of Trade to say that the promoters had agreed to the Instruction standing in the name of the right hon. Gentleman the Member for West Islington. If that was so, he did not think they need disturb themselves any more about it.

*SIR SAMUEL SCOTT (Marylebone, W.) said the right hon. Gentleman had stated in his speech that he was not aware that any borough councils had supported this Instruction to the Committee. Speaking on behalf of the borough council of Marylebone he desired to inform the House that they did support this instruction. If his hon. friend would accept the proposal which had been made, he thought it would meet the view of the borough council in the matter.

MR. CLAUDE HAY said he was perfectly willing to accept any words which would carry out the general intention that he and those he represented had in view. He was most ready to accept any instruction proposed by the right hon. Member for West Islington, but he wanted it to be clearly understood that the motive which animated him was to try to save the ratepayers' money. If there were no such instruction those whom he represented and the ratepayers would have to fee counsel and spend thousands of pounds in defence of their undertaking. That he wished to avoid. Might he point out to the President of the Board of Trade that the difficulty and expense to which he had alluded would have been avoided if the Government had proceeded with their Bill of 1906, which was introduced by the present Chancellor of the Exchequer who was then President of the Board of Trade. Clause 6 of that Bill conferred on the parties he represented the power of interchange and so-forth, without their spending the London rates in securing those rights in the municipality undertakings. If the Government were to undertake to introduce a Bill next session conferring the powers given in Clause 6 of the Bill of 1906 he would be content not to pursue his Instruction, although alternatively he was willing to accept the Amendment of the Member for Dulwich to insert in his Instruction the words "that they have the power," after "Committee."

*MR. SPEAKER: Perhaps some hon. Member will move the Amendment.

SIR F. BANBURY moved that these words be inserted in the proposed Instruction.

MR. BOWLES (Lambeth, Norwood) seconded.

Amendment proposed—

"In line 1, after the word 'Committee,' to insert the words 'that they have the power.'" —(*Sir F. Banbury.*)

Question proposed, "That those words be there inserted."

MR. LOUGH said he wished to point out that that would not secure the object the hon. Member had in view. The instruction went on to say that the powers proposed by the Bill "shall be conferred also on the local authorities." How could they confer powers on the local authorities? It was not their Bill. They could not turn this Bill, which was a companies' Bill, into a general Bill. He thought the hon. Member would not get out of the difficulty by accepting the Amendment; and that he would do best to close with the offer made by the President of the Board of Trade.

MR. BONAR LAW said he would not have proposed his Amendment if he had not thought it would be of real use, and he believed that the House would be wise to allow the Amendment which had now been moved to be carried.

Question put, and agreed to.

Main Question, as amended, put, and agreed to.

Ordered, That it be an Instruction to the Committee that they have power to insert such provisions in the Bill as will ensure that the powers proposed by the Bill to be conferred upon the London Electric Supply Companies shall be conferred also on the local authorities who are authorised distributors in the Administrative County of London.

LONDON (WESTMINSTER AND KENSINGTON) ELECTRIC SUPPLY COMPANIES BILL.

Read a second time, and committed.

Ordered, That it be an Instruction to the Committee to which the Bill is referred to insert a provision binding the promoting Companies not to offer opposition to any future legislative proposal to constitute the London County Council the purchasing authority."—(*Mr. Churchill.*)

MR. LOUGH said he wished to move the Amendment standing in his name, but instead of making it mandatory would put it in the permissive form by inserting the words "to have power to" after the word "referred." He understood that the promoters were willing to accept the instruction in that form. He begged to move.

SIR EDWIN CORNWALL seconded.

Question proposed, That it be an Instruction to the Committee to which the Bill is referred to have power to insert a provision binding the promoting Companies not to offer opposition to any future legislative proposals that may be brought forward on behalf of the Councils of the Metropolitan Boroughs for such mutual assistance or association as this Bill confers on the promoting Companies."—(*Mr. Lough.*)

MR. CHURCHILL thought that this was a very useful Instruction and he saw no reason why the House should not accept it. It would be a convenience in the future, and would clear out of the way altogether a class of opposition which might possibly involve the rate-payers in great expenditure in unnecessary legal costs. He suggested that his right hon. friend should take an opportunity of moving a similar Instruction to the other measure.

Question put, and agreed to.

Ordered, "That it be an Instruction to the Committee to which the Bill is referred that they have power to insert a provision binding the promoting Companies not to offer opposition to any future legislative proposals that may be brought forward on behalf of the Councils of the Metropolitan Boroughs for such mutual assistance or association as this Bill confers on the promoting Companies.—(*Mr. Lough*).

Whereupon MR. SPEAKER, pursuant to the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at eight minutes before Twelve o'clock.

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

HOUSE OF LORDS.

Tuesday, 3rd November, 1908.

EARL OF ROSSE.

Ordered, That the Report of the Lord Chancellor of the United Kingdom made to the House of Lords on Monday last, that the right of the Earl of Rosse to vote at the elections of Representative Peers for Ireland has been established to his satisfaction, be sent to the Clerk of the Crown in Ireland, together with a certificate stating that such Report has been made, and that the House has ordered it to be sent to the said Clerk of the Crown in Ireland.

PRIVATE BILL BUSINESS.

LOCAL GOVERNMENT PROVISIONAL ORDER (No. 3) BILL.

Moved, That the order made on the 25th day of March last, "That no Provisional Order Confirmation Bill brought from the House of Commons shall be read a second time after the 18th day of June next," be dispensed with, and that the Bill be now read 2^{a}; agreed to; Bill read 2^{a} accordingly, and committed. The Committee to be proposed by the Committee of Selection.

KIRKCALDY AND DYSART WATER ORDER CONFIRMATION BILL [H.L.].

Read 3^{a}, (according to order), and passed, and sent to the Commons.

RETURNS, REPORTS, ETC.

TRADE REPORTS: ANNUAL SERIES.

No. 4159. China (Chinan Fu).

No. 4160. China (Foochow).

Presented (by command), and ordered to lie on the Table.

BOVINE TUBERCULOSIS—QUESTION OF COMPENSATION.

THE EARL OF ONSLOW rose "to call attention to the Report of the Royal Commission on Tuberculosis and to that of the Select Committee on the Tuberculosis Compensation Bill, 1904, and to the recent notification by the Meat Traders' Federation, that on and after 2nd November next they will require a warranty from every vendor of stock that animals purchased by butchers are free from disease; and to inquire whether, in view of the fact that tuberculosis is a disease which cannot be accurately diagnosed prior to slaughter, His Majesty's Government will take steps to comply with the views of the above-community, that compensation for cattle slaughtered in the interests of the public health ought to be paid for out of public funds."

The noble Earl said: My Lords, the subject to which I wish to draw your Lordships' attention is one which has been exercising the minds of the agricultural community for the past few months. It arises, I imagine, out of two causes—first, the fact that inspectors, especially in the large towns, have been more energetic lately in their condemnation of meat which, in their opinion, is unfit for human food owing to its being found to be tuberculous; and, secondly the judgment of the Lord Chief Justice, in the course of which he said that the only way in which a butcher could protect himself from the consequences of the sale of such meat would be by obtaining a warranty from the vendor—namely, the farmer—that the animal in question was sound and free from tuberculosis.

In consequence, the Meat Traders' Federation gave notice some time ago that on and after Monday last they would refuse to buy any meat unless they received with the carcase of the animal a warranty that it was free from tuberculosis. That was thought by farmers to be a condition to which they could not assent, and meetings have been held in all parts of the country at which it was determined to resist this demand on the part of the Meat Traders' Federation.

A few days ago my noble friend the President of the Board of Agriculture succeeded, I believe, in getting the Federation to go so far as to say that they would postpone the demand for a warranty until 1st January, and that they would meet in conference the Central Chamber of Argiculture. But, my Lords, I do not think that a mere postponement of this demand would in any way meet the point, Farmers feel that this is a threat to which they ought not to be subject, and that they could not go into any conference unless the Meat Traders' Federation had agreed to withdraw the demand altogether, and I am glad to be able to say that at a meeting to-day it was decided that the demand for a warranty should be withdrawn, and that a Conference should be held in the hope that some arrangement might be come to.

I have much sympathy with the meat traders, who for a long time have suffered under these disabilities from which they are quite unable to protect themselves. It is impossible, as your Lordships possibly know, to tell from the appearance of an animal when it is alive whether it is tuberculous or not; it is only after the animal has been slaughtered and a veterinary examination has taken place that it is possible to say whether or not the animal is fit for human food. But while I have this sympathy with the meat traders, I cannot see on what principle of justice or equity the cost of sacrifice of the carcase can be expected to fall entirely on the farmer. This is not a new question. A Tuberculosis Compention Bill was introduced into Parliament in 1904 and was referred to a Select Committee. That Committee gave a most attentive consideration to the matter, and finally reported that in their opinion—for which they gave several cogent reasons, with which I need not trouble your Lordships—compensation ought to be paid to the farmers for the loss sustained, of which the larger part ought to come out of public funds. That is, I think, a very reasonable proposition. The object, of course, of condemning these carcases is to protect the public health, and if the public health is to be protected the public are the proper people to pay for that protection.

There is a very interesting statement in the October number of the Journal of the Board of Agriculture showing what has been done in this respect in other countries. I find that ever since 1893, compensation has been paid by the State in Denmark; in Norway that has been so for several years; in Holland any cattle owner whose animal is found to be tuberculous receives compensation from the State; in Belgium he receives 70 per cent. of the value of the animal; and in France one-third of the value if wholly tuberculous, and three-fourths if the disease is only local.

The Earl of Onslow.

A question somewhat similar to that which I am now addressing to His Majesty's Government was put to the President of the Local Government Board in the other House, and the right hon. Gentleman's reply was that he did not, as at present advised, contemplate introducing a Bill to deal with the subject. That might mean one or two things—either that it was the settled determination of His Majesty's Government to have nothing to do with it, or that the Government were too fully occupied at present with other business, but might be induced some day or another to bring in a Bill to provide compensation. What I want to know is, do the Government intend to do this, or do they not? If this conference is to meet—and certainly it is most desirable it should meet—are those who attend to waste their time discussing the question of pressing upon His Majesty's Government the desirability of providing compensation when the Government have made up their minds not to do so? I really think that the noble Earl the President of the Board of Agriculture, who has shown his desire in so many ways to help the farmers, may best help them to help themselves by telling them quite plainly what is the intention of His Majesty's Government. If the Government do not intend to grant compensation, then those whose business it is to advise the farming community in these matters will look about and see if they can find some means by which this difficulty can be got over. All I ask is that His Majesty's Government should give a plain answer to a plain question, and state whether they do or do not intend to admit the principle of compensation by the State in such cases.

*LORD ALLENDALE: My Lords, my noble friend has asked a straightforward question, and I hope I shall be able to give him a straightforward answer. The substantial question raised by the noble Earl is whether compensation is to be paid out of public funds for tuberculous carcases destroyed in the interest of public health. If I may be allowed to do so without being thought too pedantic, I might offer a remark on the form of the Question as it appears on the Paper. I would observe that cattle are not slaughtered in the interest of the public health; it is after the cattle are slaughtered and the carcases exposed for sale that the question of destruction in the interest of the public health comes in. When carcases are destroyed the loss, as the noble Earl has justly pointed out, usually falls on the owner—that is, the butcher. We have been reminded by the noble Earl that the National Federation of Meat Traders recently passed a Resolution that after 2nd November they would require a warranty from every vendor of stock that animals purchased by butchers are free from disease, the object, of course, being to divert the loss from the butcher to the farmer; whereas the farmer is naturally very anxious to receive compensation in respect of such cattle if he has to make good the loss sustained by the butcher. I am very glad to hear from the noble Earl that the Central Chamber of Agriculture has, on behalf of the farmers, agreed to meet the Meat Traders' Federation in conference on the subject.

For many years it has been a debatable question whether or not compensation should be paid in respect of loss due to the destruction of tuberculous meat. The Royal Commission on Tuberculosis of 1906 reported against compensation, mainly on the ground that the purchase of tuberculous animals was an incident of trade. They thought that the risk was not great, and that it might be met in the main by a system of insurance. It is the fact, however, that in 1904 a Select Committee of the House of Commons considered a Bill on this subject, and reported in favour of some compensation being paid. They recommended, I think, that it should not extend beyond one-half of the value of the animal, and that it should be paid out of Imperial funds. The noble Earl has referred to this recommendation. He inquires whether the Government will take steps to comply with the views of this Committee and of the farming community that compensation should be paid out of public funds in such cases. That is a plain question. The late Government, of which the noble Earl was a member, did not act upon the Report of the Select Committee in 1904, and the present Government do not see their way to do so either. As your Lordships are aware, a Royal Commission, appointed in 1901, is still sitting on the subject of tuberculosis, and has not, therefore, finally reported. The Commissioners may, of course, have something to say as regards compensation, and their views will naturally receive the very careful attention of His Majesty's Government; but, as has already been pointed out, the previous Commission was not in favour of compensation. The Government, therefore, under all the circumstances, cannot hold out any expectation that they will promote legislation to provide for the payment of compensation where carcases are destroyed in the interests of the public health. It is not admitted that in such circumstances a case for compensation arises, and it is considered that the difficulty can reasonably be met by insurance, the adoption of which system I trust the noble Earl will encourage amongst his agricultural friends.

LORD RIBBLESDALE: My Lords, before my noble friend the President of the Board of Agriculture speaks, I should like to say a few words on this subject. Certainly my noble friend Lord Onslow has got a perfectly straight answer as regards the intentions of His Majesty's Government in the matter of the payment of compensation. It seems that the reason given by the noble Lord for not taking action is that the late Government had not done so. I do not think that is a very good reason, because in my opinion the late Government ought to have taken action in this matter. The noble Lord tells us that the Government are going to wait, as a Commission on Tuberculosis is sitting which may give them valuable information, and enable them to make up their minds more distinctly on the subject. I was rather surprised to hear that, because your Lordships know that in other cases the Government did not wait for the Reports of Royal Commissions, but went on all the same.

I wish to put one or two considerations before my noble friend Lord Carrington and also before the House—considerations which are animated in me as a grazier. I come from a grazing district. I farm between 600 and 700 acres of land. I do not rear, I sell, and I sell as quickly as I can. I like the amusement of chopping and changing, and I very often take the smallest possible profit. These considerations are animated especially by my recollection of some years ago having served on a Committee on the question of the marking of foreign meat, of which my noble friend who raised this question this evening was Chairman. At that time the present Lord Burghclere, who was then Mr. Herbert Gardner, was President of the Board of Agriculture. It was my lot to do the little work that fell to the representative of the Board of Agriculture in your Lordships' House, and I was, therefore, put on this Committee as a representative of the Government.

I only arrived from Yorkshire this morning, having travelled as far as Leeds with a gentleman largely interested in grazing who is also a member of that autocratic body the West Riding County Council; and, from our conversation, I can say that Lord Onslow did not in the slightest exaggerate when he said that by farmers in that part of the world this whole question of warranty is looked upon as a danger to their industry. I turn back to the Meat Marking Committee. I have not troubled to look up the Report of that Committee, but anyone who read it and has an ordinary memory will have a distinct recollection that there is a predilection in the purchasing public in favour of home-grown meat. I do not say that that predilection is entirely patriotic. I do not think it is. But people regard home grown meat as better, and if they have friends visiting them they like to draw attention to the fine Scotch or the small Welsh smoking on the mahogany. But it would become altogether another thing if the confidence of the public were shaken as to the wholesomeness of home-grown meat.

We all live now in a state of morbid apprehension as to what we eat and drink. There was, I believe, an age called the Palæolithic Age, and there was the Old Red Sandstone Age. I believe this age will come to be known as the age of the bacillus, the microbe, and the tubercle. After all, butchers, like other people, are endowed with the faculty of forming opinions which spring from the pocket, and I have very little doubt that if, by side issues of any sort or by any suspicion thrown on home-grown meat, it came about that the general public preferred foreign meat to home grown, they would only be too glad to indulge their fancy. Butchers would be more than human if they would not prefer to buy more cheaply what they could sell more dearly, and give their customers equal satisfaction. Therefore, it seems to me that if, by casting imputation of unwholesomeness or unsoundness on English meat, the present predilection is at all shaken, we might very likely find butchers almost entirely giving up buying home-grown stock and relying on the foreign supply.

Lord Ribblesdale.

I hope that if this conference does get to work these points will not be overlooked, and I trust that the noble Earl who sits on the Bench below me (Earl Carrington), who, as Lord Onslow said, extends an ægis to all kinds of agriculture, will bear in mind a few of the considerations I have tried to put before the House. There was one thing my friend in the train pointed out; it has nothing to do with meat, though it does concern the health of the public at large—I refer to the question of milk. In country districts the rural authorities have considerable powers, given them, I think, under the last Local Government Act, but apparently for some reason or other, they are not, as my friend pointed out, very active in putting them in motion. I think something of that sort might be done. Those connected with farming no doubt resent anyone coming down and saying "This is all a mistake; you ought to have a great deal more room here, and plateglass windows there; and the man who does this sort of work ought to be dressed in suitable white ducks." Nevertheless, a little in this direction might be done with advantage; and if we do not help our small local authorities to look after these things, the tendency will be for central bodies like the West Riding County Council, largely made up of extremely capable and vigorous-minded townspeople, to get that into their hands like other things, and they will insist on sending their own men who know nothing about the practice of the country and will not take into consideration the various vicissitudes and difficulties with which small dale farmers have to contend.

I do not wish to trouble your Lordships further; but I put it to you, if by any side issue, such as that raised by the question of warranty, it should come about that home-grown meat was discredited and that butchers were encouraged by their customers to buy in the foreign market, it would be a very serious thing for your tenantry.

*THE PRESIDENT OF THE BOARD OF AGRICULTURE AND FISHERIES (Earl CARRINGTON): My Lords, I do not know that I have anything much to add to this interesting discussion. I can only repeat that an agreement to meet and confer with each other has been come to between the Butcher's Federation and the Central Chamber of Agriculture on the warranty question, and that we are now within measurable distance of turning a corner which appeared at one time a very awkward one to get round.

My noble friend beside me was quite right in calling the attention of the House to the fact that the noble Earl's Question as it stands on the Paper is not very happily worded. Cattle are not at present slaughtered in the interest of public health but only if suffering from contagious disease to prevent that contagion spreading, and then, of course, compensation is paid. There was an outbreak of foot and mouth disease in Edinburgh recently, which was, happily, stamped out at a cost of £4,000. This money was paid without any grumbling. Still, I thank the noble Earl for putting this Question, because it was to a certain extent opportune, and it enabled my noble friend beside me to state perfectly clearly the attitude of His Majesty's Government with regard to the payment of compensation for meat seized as unfit for human food. In this connection, as my noble friend said, it is pleasant to think that our negative attitude is in harmony with that of the late Government of which the noble Earl was a distinguished Member.

The late Government remained in office about eighteen months after the Select Committee referred to reported, and they took no notice of the Committee's recommendations, though the Chairman of the Committee was the then Parliamentary Secretary to the Local Government Board. One sentence fell from the noble Earl which I think I might ask him to explain. He said he considered that this demand for compensation was a reasonable proposition. Now, what does that mean? I should like very respectfully to ask the noble Earl whether he is himself in favour of compensation being paid out of public funds when meat, which is unfit for human food, is seized to prevent it being exposed for sale. If so, I think he is touching the fringe of a very serious question. My Department deals with other things besides meat. Are fish and eggs and vegetables to be excluded, and is compensation to be paid for meat only? As regards that, I think I might be permitted to remind the House of what Mr. Walter Long said on 16th April, 1904—three months before the Select Committee reported. Mr. Long said—

> "The already heavily burdened ratepayers must be considered, and he certainly must be understood as giving no promise to support a proposal that compensation should come from the Imperial Exchequer."

There seems to be some diversity of opinion between the noble Earl and the right hon. Gentleman, both of whom have held the office of Minister for Agriculture.

As regards the fears of my noble friend behind me, Lord Ribblesdale, I am sure that everything he has said will be carefully considered at the conference, and I hope that his somewhat gloomy prognostications will not be realised. Tuberculosis, after all, is not scheduled under the Contagious Diseases (Animals) Act, and there would be enormous difficulties to be faced were it included; but we are most carefully considering whether it is within the range of practical politics to deal with it in the living animal when it assumes the form of tuberculosis of the udder. If action in this direction is feasible and is attended with success, the difficulties to which Lord Ribblesdale has alluded will be considerably diminished.

MARINE INSURANCE.

Lord MUSKERRY: My Lords, I rise to call the atention of the Government to the subject of what are termed "P.P.I." insurance policies on British merchant ships; to point out certain evils attaching to these policies; and to ask whether a committee representative of the different interests is to be appointed to consider the matter, or otherwise, whether any other steps are to be taken in regard to it.

It would, perhaps, be well if at the outset I explain what "P.P.I." policies are, as it is quite likely that some of your Lordships may not have heard of them. The letters "P.P.I." mean "policy proves interest," and underwriters or insurance companies settle claims upon these policies without requiring the insurer to prove that he has any interest whatever in that which he has insured. I venture to remind your Lordships that an insurance effected by any person who has no personal interest in it beyond pure speculation is, in law, invalidated. If, for instance, anybody insures a ship in which he has no interest whatever the insurance resolves itself into a gamble on her being lost or otherwise, and a very pernicious form of gambling it is.

The law is evaded by the issuing of "P.P.I." policies, otherwise they may be called "honour" policies; and in case of a ship's loss the underwriters settle the claims, even though, in law, they are not liable to do so. Recent disclosures at Board of Trade inquiries show that, amongst a certain class of the shipping community, it has become a favourite practice to pick out certain ships which, for one or several reasons, they think are likely to be lost at sea. They can get fairly big odds against it in the marine insurance market, and, consequently, take out "P.P.I." policies on these ships. Probably they know that they are old craft carrying every additional ounce of cargo permitted by the new deeper-loading Regulations. If the ships happen to meet with disaster and insurances on them of this class are subsequently revealed, is it not natural that grave suspicion must fall upon somebody, principally, of course, on those who command the ships? It is only human to suspect that there has been a conspiracy on the part of somebody in perpetrating a criminal act for the sake of gain.

Coming to a case in point I would bring to your Lordships' notice the recent Board of Trade inquiry into the loss of the steamer "Albion." I understand that it was through the underwriters—who appeared not to relish paying on the "P.P.I." policies they had issued on the ship—that the Board of Trade first became aware of the fact that complete outsiders had effected large insurances on her. The Board then set on foot a most searching and expensive investigation in procuring all available evidence for presentation at the formal Board of Trade inquiry. Every little point out of the common provided an additional source of suspicion, and all the necessary witnesses were retained and maintained for a far longer period than is usually the case with these inquiries.

The inquiry was of a very protracted character, taking five days, and the expense falling upon the parties to the case in the shape of lawyers' fees far heavier than usual. The captain's anxiety was not lessened by the fact that not only his professional reputation and career might be doomed, but that an adverse decision so far as he was concerned would mean his figuring in the dock on a criminal charge of a most desperate character. Fortunately, the captain was, and had been for some years, a member of the Imperial Merchant Service Guild, who spared no effort in defending his interests, with the result that there was found to be not a scintilla of evidence showing that the captain had been guilty of a criminal act or had known anything of the nefarious transactions which had been going on regarding his ship in the form of "P.P.I." policies. What is more, in acquitting the captain from blame in connection with the loss of the ship, the Court made the following important statement—

> "The Court desires to express its strong disapprobation of 'P.P.I.' insurances by person who have no insurable interest in the vessel

insured, as such insurances tend to raise the premiums to be paid by ordinarily interested insurers, and also to throw suspicion on owners, captains, and officers on the ground of the vessel being over-insured. They are merely speculative gambles, and, in the opinion of the Court, they should be prohibited by legislation."

My Lords, my contention is that we must not let the matter rest where it is. We cannot allow innocent people to be placed under grave suspicion and at the same time put the country to great additional expense in connection with Board of Trade inquiries into shipping casualties merely that a few people—known chiefly as "Cardiff wreckers"—should be permitted to indulge in a most baneful form of gambling. I might quote also the case of the loss of the "Oxus," where it has been proved in evidence at the Board of Trade inquiry that a large number of "P.P.I." policies had been effected on her by people having no interest whatever in the ship, except that she should be lost. One of the witnesses said that he took out a policy for £1,000 on the steamer at £10 10s. per cent. It appears that it was not his first transaction, for he mentioned four other steamers in connection with which he had taken out similar policies. Two were lost, one was not lost but broken up, whilst the witness stated that his policy on the remaining one expired before she was lost.

LORD HAMILTON OF DALZELL: I hope the noble Lord will pardon me for interrupting him, but I would remind him that the case to which he is alluding is now under consideration. I would, therefore, suggest that it is hardly proper to refer to it at the present moment.

LORD MUSKERRY: I am only alluding to the evidence of this particular witness, and I do so because it has a very important bearing on the point which I wish to put before your Lordships. Further cross-examination elicited the fact that the witness had had speculative insurances on five vessels, four having been lost and been subject to Board of Trade inquiries. There is one point in this witness's evidence which will, perhaps, permit me to remind your Lordships of the earnest protest I entered when the new Regulations allowing the much greater immersion of British ships were promulgated by the Board of Trade. In this case of the "Oxus" the witness whose evidence I have referred to, and who is a marine surveyor, said that he specially picked out vessels which had five or six inches less freeboard than they had before the new Regulations came into force, and mentioned the names of two steamers he had specially picked because of this fact. I hope that the Board of Trade will take this significant little bit of evidence to heart. It shows to what greater peril the lives of British mariners are exposed under the new Regulations. The case of the "Oxus," as the noble Lord opposite has pointed out, is still proceeding, but, whatever may be the decision, there can be no doubt as to the mischievous nature of these "P.P.I." policies.

Now, my Lords, it has been contended in several quarters that it is the underwriters who can very easily solve the difficulty by declining to grant these policies. But I am sorry to say that, in my humble opinion, it is hopeless to expect anything of the sort from underwriters. There is very fierce competition amongst them, and almost all of them are very closely identified with shipowning interests. Even where they are in cordial sympathy with anything which makes for the greater safety of ships—take, for example, the Light Load Line—it is almost impossible to get them publicly to take a stand in the matter. This was so in connection with the Light Load Line, where, although I knew that underwriters were in the greatest sympathy with me, it was only in one case that I could get active public support. Therefore, we must look elsewhere than to underwriters to deal with the question of "P.P.I." policies.

There is an absolute consensus of opinion amongst shipping interests that it is the Board of Trade who should take some firm action in the matter. Shortly after the case of the "Albion," Mr. Moore, the Secretary of the Imperial Merchant Service Guild, addressed a strong communication to the Press pointing out the dangerous evil of these policies as casting grave suspicion on innocent men. I heard of one shipowner who, discovering that there were a number of "P.P.I." policies effected on his ship, dismissed all the crew and laid the vessel up. This shows what serious suspicions must have been aroused in him by these policies, and it also shows what hardship the captain, officers, and crew of that vessel had to suffer through them. Mr. Moore, writing on behalf of the captains and officers of merchant ships, stated that barratry amongst shipmasters at the present day was a thing unknown, and he dwelt upon the fact that their position at a Board of Trade inquiry where these "P.P.I." policies are shown to exist, was not so much the defence of their certificates, as to save themselves from gaol and the lasting humiliation and degradation of themselves and their friends.

Then, my Lords, from the chief seat of the evil—Cardiff—we find that the Shipowners' Association of that port have passed the following resolution—

> "That this Association strongly deprecates the gambling that is taking place in 'P.P.I.' policies, whereby insurers gamble in vessels in which they have no interest, to the detriment of shipowners and other legitimate insurers, and trusts that the Board of Trade will devise some means to counteract the evil."

This resolution was strongly endorsed by the Cardiff Incorporated Chamber of Commerce. One of the members of the Chamber stated that Cardiff had been a hot-bed of these "P.P.I." policies, and it was really time the business was put a stop to.

Mr. Humphries, the President of the Bristol Chamber of Commerce and Shipping, regards it as most unsatisfactory that people without any interest, either direct or indirect, in steamships or their cargoes should be able to take out policies which are highly speculative and nothing more or less than a gamble. Mr. Humphries qualifies himself in stating that at the same time the legitimate current of insurance business should not be hampered. I quite agree with him in this. Another large shipowning organisation which supports the resolution of the Cardiff Shipowners' Association is the North of England Steamship Owners' Association, which has gone so far as to appoint a special committee of three of its members to take part in an interview with the Board of Trade and give evidence if required.

I do not think it is necessary for me to go further into my case. I think I have given your Lordships ample evidence of the fact that there exists a serious amount of gambling in connection with British ships and the lives of their crews. I hope that the Board of Trade will see that the question is thoroughly threshed out. It seems to me that a committee representing all the different shipping interests would be the best procedure to adopt in order to arrive at some satisfactory decision in the matter. If such a committee be formed I hope that, whilst shipowners will be represented, our captains and officers will not be ignored. They should have the fullest representation, as their interests are affected even more than those of the shipowners in this matter. I trust to hear from my noble friend opposite that this subject is occupying the earnest attention of the Board of Trade, and that they propose to take some practical steps to eradicate what I think your Lordships will all regard as an unquestionable evil.

*LORD ELLENBOROUGH: My Lords, I am in entire agreement with Lord Muskerry on this question. There can be no doubt that these "P.P.I." insurance policies have added to the dangers of the sea. During the last half-century we have been rapidly reducing those dangers by means of better charts and methods of navigation, by employing more light ships and by improvements in shipbuilding; but this is a new danger which ought to be checked before it attains any large dimensions. The noble Lord did not give the House the figures of the insurances effected through "P.P.I." policies in the case of the "Albion." I find, from the Board of Trade Report, that there were insurances, other than re-insurances, effected upon and in connection with the ship at the time of her loss by persons having no insurable interest in the ship, cargo, or freight, to the extent of £12,600, in amounts varying from £100 to £3,400.

In the case of the "Powis," Mr. T. W. Lewis, the Judge, stated in his Report that—

> "The difficulty of ascertaining the truth becomes insuperable when the witnesses deliberately mislead the Court. Misrepresentations

by seafaring men of the humblest class to whom the witness box is strange, who may not be quick of apprehension, may, perhaps, be ignored; but if highly intelligent astute men of business may with impunity deliberately mislead a Wreck Inquiry Court, the great public expense of such Courts is entirely wasted and the ends of justice defeated."

The Court added—

> "There are, however, other parties affected whose interests are not protected and whose lives are disregarded, viz., the officers and crew. Where a vessel is over-insured, one of the most powerful incentives for keeping her in good condition and seaworthiness is removed; and over-insurance also offers a dangerous temptation to persons, or the agents of persons, who will gain by the loss of the vessel. Whether lost through unseaworthiness or foul play the lives of the crew are imperilled. The effectual prevention of such an unnecessary peril to seafaring men is worthy of the attention of the legislature. That the evil is not a small one is shown by the fact that in this Court alone the 'Powis' is the third inquiry within two years in which each of the vessels lost has been insured for many thousands of pounds in excess of her value."

The sum of £4,125 was in "P.P.I." policies, which had been effected, according to one witness's evidence, to enable the owners to pay the liabilities and debts she had incurred in trading; the insurances as a whole exceeded the genuine value by at least £9,500.

The system is nothing more nor less than gambling in human lives and should be declared illegal. When a man effects one of these insurances for a high sum all he has to do is to set about to bribe one of the crew to wreck the vessel. A scoundrelly act of that kind could be very simply done. Nothing is easier than for an engineer to lose a ship if he is a scoundrel, and these large bribes to men who are short of money should not be available. I heard of one owner who dismissed his captain and the whole of the crew because he had learned that people were playing with "P.P.I." policies on the ship, and he regarded this as the only certain way of getting rid of the person whom the "P.P.I." policy holders had got at. I have noticed that whilst there are most honourable exceptions, the ships of single ship companies are not as safe to go to sea upon as ships belonging to large companies. I have no more to say on the subject at present, but shall probably put a Question on the matter at a later period of the session.

*LORD HAMILTON OF DALZELL: My Lords, my right hon. friend the President of the Board of Trade has twice within the last few days made statements upon this subject in another place. I do not, however, for a moment complain of the action of the noble Lord opposite who has asked this Question to-day, because the subject is a deeply interesting one and the issues involved are of the greatest possible importance to the mercantile marine of this country.

I agree with almost everything which has been said by the two noble Lords who have addressed the House, and I can assure them that this matter is receiving the most earnest consideration of the Board of Trade. This practice of gambling in what are known as "P.P.I." insurance policies is, undoubtedly, carried on to a certain extent at the present moment. It is difficult to find out exactly to what extent it is done, because these matters are naturally conducted under a veil of secrecy. As the noble Lord who asked the Question has pointed out, any such insurance made by a person who has no insurable interest in the ship or cargo is void in law, but in practice these "honour" policies, as they are termed, are almost invariably paid, because the underwriters are so jealous of their reputation and so anxious to avoid gaining the character of being men who dispute claims made against them that they would sooner pay, even in doubtful cases.

We have heard lately that certain people frequent docks for the purpose of finding a ship which is likely to be wrecked in very much the same way as a man goes into the paddock on a racecourse with the object of "spotting a winner." This form of gambling is, of course, of a peculiarly ghoulish and horrible character, because of the grave risk to human lives involved in the wreck of a ship. But, if there were nothing else connected with it, I hardly think it would be a matter which would call for interference, much as we might deprecate its existence. Unfortunately, however, there are other considerations, because it is no doubt possible for collusion to exist between persons who have taken out this form of policy and some person connected with the ship, however distantly connected he might be—it might only be as a dockyard labourer, who might have the opportunity of causing the loss of the ship; and the stakes which can be played for in this terrible game are so enormous that there is no doubt they must offer a very grave temptation to unscrupulous people. Again, if it were simply a question of fraud being perpetrated at the expense of the underwriters who choose to deal in this class of policy, I think that would be a matter which we might regard with a certain amount of equanimity; but, as the noble Lord has said, the counters which are played for in this game are human lives, and therefore it must be regarded as being extremely serious.

Investigations which have so far taken place have disclosed the fact that these policies are, occasionally, used legitimately in business for the purpose of insuring properly insurable interests, because, for certain reasons, they are sometimes more convenient; and what my right hon. friend is most anxious to do, in dealing with this matter, is to find some way of putting a stop to the illegal and dangerous use of this system, while not interfering with the course of legitimate trade. With that object in view, he is very shortly to hold a conference with the different interests involved, and when that conference has taken place I have no doubt that, if the noble Lord again asks a Question on the subject, I shall be able to give him a great deal more definite information on the matter.

House adjourned at half-past Five o'clock, till To-morrow a quarter past Four o'clock.

HOUSE OF COMMONS.

Tuesday, 3rd November, 1908.

The House met at a quarter before Three of the Clock.

PETITIONS.

ENFRANCHISEMENT OF WOMEN.

Petition from Wellingborough, for legislation; to lie upon the Table.

Lord Hamilton of Dalzell.

LICENSING BILL.

Petitions against: From Poole and other places; and Southend-on-Sea; to lie upon the Table.

RETURNS, REPORTS, ETC.

UNIVERSITY OF LONDON ACT, 1898.

Paper [presented 2nd November] to be printed. [No. 313.]

MERCHANT SHIPPING ACTS, 1894 TO 1906 (VESSELS DETAINED).

Copy presented, of Return of all Ships ordered by the Board of Trade or its Officers, during the period from 1st July, 1907, to 30th June, 1908, to be provisionally detained as unsafe, together with Summaries, etc., [by Command]; to lie upon the Table.

LONDON TRAFFIC REPORT.

Copy presented, of Report of the London Traffic Branch of the Board of Trade [by Command]; to lie upon the Table.

LIVERPOOL AND HONG KONG MAIL SERVICE.

Copy ordered, "of Contract, dated the 12th day of October, 1908, between His Majesty's Postmaster-General and the Canadian Pacific Railway Company for the conveyance of Mails between Liverpool and Hong Kong, together with a copy of the Treasury Minute thereon dated the 23rd day of October, 1908."—(*Mr. Hobhouse.*)

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

MR. WILKIE (Dundee): To ask the Secretary of State for the Home Department whether he has received a communication from the editor of the *Scottish Prohibitionist*, drawing his attention to the constantly recurring cases in Dundee of merchants defrauding the public by the use of false and unjust weights and measures, and to the fact that the Press does not give publicity to the convictions obtained by the authorities against such merchants; and whether steps will be taken, for the protection of the public, to ensure that the reports of such convictions would be duly published.

(*Answered by Mr. Sinclair.*) The communication referred to in this Question has been sent to me by the Secretary of State. I have no control as to the action of the Press and do not see my way to interfere.

Employment of Telegraph Messengers on Postmen's Work during Christmas Pressure.

MR. KEIR HARDIE (Merthyr Tydvil): To ask the Postmaster-General whether he is aware that a very large number of telegraph messengers are employed on sorters' and postmen's work during the Christmas period; and whether he will issue instructions that only lads over sixteen years of age, who can be guaranteed nomination for full-time appointments within a reasonable period, shall be so employed this year, and that the places which cannot be filled under the above conditions shall be given to unemployed men.

(*Answered by Mr. Sydney Buxton.*) A certain number of telegraph messengers are employed at Christmas-time on postmen's work and a few on sorters' work, the respective work being that of which they have some knowledge. These boys are, as a general rule, over sixteen years of age and, as far as possible, established appointments will be found for them. In many cases their employment is only for a few hours on Christmas Day. General attention has been drawn to the desirability of giving work genuinely to unemployed men to the greatest extent practicable.

Speed of Light Motors in London Streets.

MR. MACKARNESS (Berkshire, Newbury): To ask the Secretary of State for the Home Department whether the police in London have any instructions to interfere with the speed of light motors in the main thoroughfares of London when those vehicles are travelling at less than twenty miles an hour; and, if so, what those instructions are.

(*Answered by Mr. Secretary Gladstone.*) The police cannot interfere with the speed of light motors which do not exceed the legal speed limit, unless there is an offence under Section 1 of the Motor Car Act, that, is, unless the car is being driven recklessly or negligently, or at a speed or in a manner which is dangerous to the public, having regard to all the circumstances of the case. The police are instructed to take proceedings when they can obtain sufficient evidence to support a charge for any of these offences, but this is often a matter of much difficulty.

Telegraphic Facilities at Icklesham, Sussex.

MR. COURTHOPE (Sussex, Rye): To ask the Postmaster-General whether he will grant telegraphic facilities to the village of Icklesham, Sussex.

(*Answered by Mr. Sydney Buxton.*) I am prepared to afford the desired facilities if the necessary guarantee is forthcoming, and I have so informed some of the residents who have written to me on the subject.

Political Pensions.

MR. COURTHOPE: To ask the Prime Minister what minimum length of Ministerial service entitles a Minister to a political pension.

(*Answered by Mr. Asquith.*) The period varies from four to ten years according to the office or offices held. For full details of the method of calculation I may refer the hon. Member to the Act, 32 and 33 Vict., c. 60, which governs the grant of these pensions.

Closing of Licensed Premises during the Reduction Period—Compensation to Employees.

MR. HUDSON (Newcastle-on-Tyne): To ask the Prime Minister if he will consider the claims of employees who are to be displaced during the reduction period of licensed houses; and whether he can, under the compensation clauses of the Licensing Bill, secure to these workpeople, who have lost their employment through the closing of unnecessary houses, a sum of not less than six months wages.

(*Answered by Mr. Asquith.*) I am afraid that it is not practicable to make any satisfactory provision for these cases,

Exclusion of Motor Cars from portions of Hyde Park.

MR. WATT (Glasgow, College): To ask the First Commissioner of Works if he will say why motor cars are excluded from some of the parks in London, in some cases from certain roadways, in others at certain hours, while horse carriages are granted permission to use these roadways and enter the parks at these hours.

(*Answered by Mr. L. Harcourt.*) Motor cars are excluded from Hyde Park between the hours of 4 p.m. and 7 p.m. during the months of May, June, and July. They are also excluded from the road between the Achilles statue and the Magazine. This is done in the interests of that portion of the public which does not use and does not like motor-cars.

Coats' Coal Contract—Opportunity for Discussion.

MR. WATT: To ask the Lord Advocate if he can say when the House will have an opportunity of discussing his salary, so that the question of the Coats' contract for coal may be brought before the House.

(*Answered by Mr. Thomas Shaw.*) I have made inquiries, and regret to find that the opportunity will not arise during the autumn session.

Valuation for Death Duties of Licensed Houses.

MR. MOND (Chester): To ask Mr. Chancellor of the Exchequer whether, in valuing the estate of a person who holds a licence for the sale of intoxicating liquors, for the purpose of death duties, any, and, if so, what, valuation of the annual licence is adopted.

(*Answered by Mr. Lloyd-George.*) If a licence is valued separately from the licensed premises for the purpose of estate duty, the valuation depends on the nature and amount of the interest of the deceased in the licensed premises and on the particular circumstances of the case, as was indicated in the reply given by the then Chancellor of the Exchequer upon 20th June, 1905, to the hon. Member for the Appleby Division of Westmoreland.

MR. MOND: To ask Mr. Chancellor of the Exchequer whether, in valuing licensed property for death duties under Section 7 of the Finance Act of 1894, the Inland Revenue Commissioners proceed on the method laid down by Mr. Justice Kennedy, in the case of Ashby's Cobham Brewery, on 24th July, 1906, or adhere to the principles laid down in the Memorandum of the Inland Revenue Commissioners of 1905.

(*Answered by Mr. Lloyd-George.*) The Commissioners adhere to the procedure indicated in the paper of 3rd May, 1904.

Deaths from Cancer in Ireland.

MR. LUPTON (Lincolnshire, Sleaford): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if there has been a large and continually increasing number of deaths from cancer in Ireland since calf-lymph was used for vaccination.

(*Answered by Mr. Birrell.*) Nothing, as far as the Local Government Board are aware, has been advanced to show that there is any connection between calf-lymph vaccination and cancer. Calf-lymph has only been in general use in Ireland since 1900, and the cancer death rate had been increasing for many years previously.

Police and the United Irish League.

MR. LONSDALE (Armagh, Mid.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether it forms part of the duties of the police to keep under observation, and to report to the Inspector-General, the operations of local branches of the United Irish League which the police have good reason to believe are engaged in the promotion of intimidation and boycotting; and, if so, whether reports made by the police in such matters are brought under his personal notice and that of the Law Officers.

(*Answered by Mr. Birrell.*) It is the duty of the local police to report to the Inspector-General all matters affecting the public peace which come under their notice, including, when necessary, the operations of local branches of the United Irish League I have no reason to doubt that all reports of importance are brought to my notice and that of the Law Officers.

Cattle-Driving in Ireland.

MR. LONSDALE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland in how many counties, outside the eight which have been declared by proclamation to be in a state of disturbance, has cattle-driving been resorted to during the past eighteen months.

(*Answered by Mr. Birrell.*) Outside the eight counties referred to, cattle-drives have taken place within the last eighteen months in fourteen counties, namely, Cavan, Cork, Donegal, Dublin, Kerry, Kildare, Limerick, Louth, Mayo, Meath, Queen's County, Tipperary, Tyrone, and Waterford.

MR. LONSDALE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland how many persons are at the present time under a rule of bail for cattle-driving, how many of these persons are owners and occupiers of agricultural land, and in how many cases have the recognisances been estreated.

(*Answered by Mr. Birrell.*) In the two years ended 30th September last 1,029 persons were bound to the peace in connection with cattle-driving, and the recognisances of four persons who were detected driving cattle on a second occasion were estreated. It would be impossible, without imposing undue labour on the police authorities who are already fully occupied, to ascertain how many of these persons are still under a rule of bail or how many are owners and occupiers of agricultural land.

Outrage at Mr. F. E. Mullane's House at Templemore.

MR. LONSDALE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he will give full particulars of the outrage committed at the residence of Mr. Francis E. Mullane, at Templemore, County Tipperary, on the night of Sunday, 25th October, and state the result of the police inquiries into the occurrence.

(*Answered by Mr. Birrell.*) On the evening in question an explosion took place on a window-sill of Mr. O'Mullane's house, breaking the window and driving several pieces of metal, apparently portions of an axle-box, into the room. An arrest has been made and proceedings are pending. It is, therefore, undesirable in the interests of justice to give any further particulars.

Delay in Gazetting Officers to the Hampshire Regiment (Territorial Army).

SIR ROBERT HOBART (Hampshire, New Forest): To ask the Secretary of State for War if he will state the reason for the delay in gazetting the officers of the late Volunteer battalions of the Hampshire regiment to the new Territorial battalions of that regiment; and when such *Gazette* will be issued.

(*Answered by Mr. Secretary Haldane.*) The officers of all the battalions of the Hampshire regiment have now been gazetted to the Territorial Force. I have already explained to the House the difficulties which have led to delay in gazetting officers to the Territorial Force.

Delay in Issue of Grants to the Ayrshire County Association.

MR. COCHRANE (Ayrshire, N.): To ask the Secretary of State for War whether the Ayrshire County Association are entitled to certain grants specified in the regulations which they are authorised to administer on behalf of the Territorial Force in the county; whether the Ayrshire County Association have made repeated requests for payment of these grants to enable them to meet their liabilities; whether, in the belief that these grants would be promptly paid, the Association have made contracts which they are unable to carry out unless the money is promptly paid to them; and whether they have made respectful representations that these grants should not be longer withheld nor should they be doled out in payments to account which may suit the convenience of the Financial Department or the War Office without regard to the obligations which they, the County Association, have entered into in terms of the regulations for the Territorial Force and County Associations, 1908.

(*Answered by Mr. Secretary Haldane.*) The Association is entitled under the regulations to such advances as may be approved on account of the grants admissible, a settlement taking place after 1st November. To obtain approval of an advance they must satisfy the chief accountant of the command that the amount claimed on account is not excessive in relation to the grants likely to be earned, and in pursuance of these conditions an advance of £4,000 was made on 11th September. Such delay as has occurred in making any further advance has arisen through failure on the part of the Association to justify it.

Entrance of Sons of Militia Officers to Woolwich and Sandhurst.

Mr. BRIDGEMAN (Shropshire, Oswestry): To ask the Secretary of State for War if, in view of the fact that the Militia have been transferred to the Special Reserve and consequently form part of the Regular Army, he can see his way to grant a similar privilege to the officers of that force, in respect of the entrance of their sons to Woolwich and Sandhurst, as is enjoyed by past and present officers of the Regular Army.

(*Answered by Mr. Secretary Haldane.*) This privilege is granted to officers of the Regular Army or Navy or to persons who have been employed in the position of officer on active service in the field. An officer of the Special Reserve has not in peace time the same duties or liabilities, as for instance foreign service, as an officer of the Regular Army, and is, therefore, not entitled to the privilege unless he has been employed on active service in the field.

Visit of the Postmaster-General to Bradford—Feared Disturbance.

Mr. JOWETT (Bradford, W.): To ask the Secretary of State for War what was the nature and terms of the communication which led the authorities, on the occasion of the recent visit of the Postmaster-General to Bradford, to hold in readiness to start for Bradford fifty men of the 5th (Royal Irish) Lancers, with horses, and 100 men of the York and Lancaster Regiment, stationed at York, each served with twenty rounds of ball ammunition, and also the men of the Royal Field Artillery stationed at Bradford Moor Barracks.

(*Answered by Mr. Secretary Haldane.*) The Mayor of Bradford expressed himself as apprehensive of a disturbance in the city and, though he trusted that no disturbance would take place other than what the police would be able to cope with, he thought that, as a precautionary measure, it would be desirable that as many men as could conveniently be spared should be held in readiness to assist the civil power in the maintenance of order.

Hounslow Heath.

Mr. LUTTRELL (Devonshire, Tavistock): To ask the Secretary of State for War whether his attention has been called to the fact that Hounslow Heath is now closed to the public; if so, would he state the reasons which led to this interference with public enjoyment; and whether, in consideration of the health and enjoyment of those who reside in and resort to that district, he would allow of the public being admitted on some portion of the heath.

(*Answered by Mr. Secretary Haldane.*) This heath is War Department training ground, and it has always been closed to the public. The only access had been through holes in the fence which the tenant for the time being failed to repair. General access to the ground would not be consistent with the purposes for which it is used by the troops stationed at Hounslow. This principle has always been acted on by the military authorities.

Territorial Army—Separate Instructors for Detachments.

Mr. WEDGWOOD (Newcastle-under-Lyme): To ask the Secretary of State for War whether means can be found to retain the original number of instructors in those battalions of the Territorial Army which have separate companies and separate headquarters in different country towns, and have hitherto had separate instructors at each headquarters.

(*Answered by Mr. Secretary Haldane.*) The whole question of instructors is now being carefully considered by the Army Council. I do not think it is probable that as the result all companies which have separate headquarters possibly close together will necessarily have separate instructors. General Officers Commanding-in-Chief are empowered in special cases to employ temporary instructors.

Control of Instructors of the Territorial Army.

Mr. WEDGWOOD: To ask the Secretary of State for War whether the non-commissioned officer instructors employed to train the Territorial Army are under the control of the Territorial Army officers or of the Regular Army; and what means the officer commanding the Territorial unit has of geting rid of unsatisfactory instructors or of enforcing discipline directly as in the regular service.

(*Answered by Mr. Secretary Haldane.*) The instructors are under the control of officers commanding Territorial Force units. Serious cases of breach of discipline must be referred to the officer commanding the district. The removal of unsatisfactory instructors is carried out by the Army Council on the application of the colonel commanding.

Discharge of Coal from Steamers at Woolwich Arsenal.

Mr. HUDSON: To ask the Secretary of State for War whether any decision has been arrived at by his department respecting the erection of new machinery of an improved type for the purpose of discharging coal from steamers at the Woolwich Arsenal pier; and, if so, can he say when the work will be commenced.

(*Answered by Mr. Secretary Haldane.*) It is not intended, at present, to erect new machinery for the purpose of discharging coal from steamers at the Woolwich Arsenal pier.

Punishment of Mr. Ghandi in the Transvaal.

Sir J. COMPTON RICKETT (Yorkshire, W.R., Osgoldcross): To ask the Under-Secretary of State for the Colonies whether he is aware that, in removing Mr. Ghandi from Volksrust to Johannesburg, on 25th October, he was marched in daylight through the streets in convict dress; whether part of his prison duties is to do scavenging; and whether, if these statements prove to be correct, the Secretary of State for the Colonies will feel it his duty to advise the Transvaal Government to avoid this aggravation of punishment for the political offence of resisting the Government demand for digit impressions, particularly in view of the resentment felt in India against the regulations of the Transvaal for the registration of our Indian fellow subjects.

(*Answered by Colonel Seely.*) Mr. Ghandi was convicted of failing to produce the certificate required under Act No. 36 of 1908, and was fined £25, or in default of payment two months imprisonment with hard labour, subject, however, to review. He was brought from Volksrust as witness in a case at Johannesburg 27th October. Escort was provided from Johannesburg gaol, and he travelled from Volksrust under ordinary conditions in his prison kit. He arrived at dusk, and was conducted from station to fort without handcuffs. When in Court as a witness he did not appear in prison clothes. He has never done scavenging, but worked on agricultural show ground digging holes for trees, and weeding in municipal plantation, and gaol garden. He never performed hard labour on public streets.

Value of Land for Small Holdings.

Mr. GINNELL (Westmeath, N.): To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, if he will state the average price per acre and also the average number of years purchase of the valuation or annual value paid for land purchased under the Small Holdings Act in each county in England and Wales in which land has been purchased under that Act; whether the prices are higher than those prevailing in the respective counties before the Act; whether he is aware that some county councils consider the prices asked exorbitant; and what remedy the Government contemplate for this difficulty.

(*Answered by Sir Edward Strachey.*) The Act has not been long enough in operation to afford any useful data for the comparison suggested. Where a county council considers that the price of rent asked for land is exorbitant it is open to the council to apply for compulsory powers, in which case the price or rent to be paid is fixed by arbitration.

Sheep and Cattle on Welsh Crown Lands.

MR. ELLIS DAVIES (Carnarvonshire, Eifion): To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, if he will state what is the estimated number of sheep and cattle, including horses, respectively, grazing on Crown lands in Wales.

(*Answered by Mr. Hobhouse.*) The Commissioners of Woods, who are the authority concerned, inform me that they have no information on this subject.

Patents Act—New Industries in Ireland.

MR. GINNELL: To ask the Vice-President of the Department of Agriculture (Ireland) if he will state what measures he has taken with a view to attracting to Ireland some of the foreign manufacturers of articles in general use who may now be willing to establish factories in the British Islands; and if, further to promote the same object, he will give a list of such industries and of the places in Ireland at which he suggests that they might be profitably located.

(*Answered by Mr. T. W. Russell.*) The Department have made inquiries from various sources with a view to ascertaining particulars with regard to industries in foreign countries which are likely to be affected by the Patents and Designs Act. The particulars thus obtained and other information bearing on the question have been communicated to the Irish Industrial Development Association, Incorporated, and were forwarded by the latter, at the Department's suggestion, to the various urban councils, corporations, and local bodies through Ireland, with a view to each district communicating direct with firms, whose addresses were given, and pointing out to them the particular industrial facilities which such district affords for the establishment of manufactures. Several districts have already taken this action. In addition the Department have assisted the development associations by arranging for a small deputation of three persons, representing the development associations, Irish manufacturers and the Department, to visit the Continent with a view to getting into touch with firms affected by the Patents Act, and bringing under their notice the opportunities afforded by Ireland. They have furnished this deputation with necessary information for this purpose bearing on Irish industrial resources and opportunities. Under the circumstances the Department do not consider it necessary at this stage to publish a list of the nature referred to in the Question.

Number of Municipal Officials.

MR. PIKE PEASE (Darlington): To ask the President of the Local Government Board whether he can state the total number of municipal officials and employees of all grades in permanent employment, including those employed in the Poor Law services for England and Wales, not including London, and for London alone, respectively.

(*Answered by Mr. John Burns.*) The Answer is in the negative. The hon. Member may, however, be interested to see a Return on the subject of the number of employees of certain local authorities which was issued last year (No. 136, of Session 1907).

Congestion in the Island of Lewis.

MR. WEIR (Ross and Cromarty): To ask the Secretary for Scotland whether he is aware that the Deer Forest Commissioners at page 44 of their Report state in a note to the schedule of lands in the Island of Lewis, which they considered suitable for the creation of new holdings or for the extension of existing holdings, that in considering the case of Lewis it cannot be left out of view that the congestion is very great, and the demand by crofters for access to the lands scheduled is of a very urgent nature; and, in view of the fact that this Report was written as far back as 1895, and that the demand for land has been much accentuated since that date, will he endeavour to settle people on the land in the Lews and other congested areas under the powers contained in the Congested

Districts (Scotland) Act, seeing that there is no prospect of the Small Landowners (Scotland) Bill becoming law in the near future.

(*Answered by Mr. Sinclair.*) I am aware of the opinion expressed by the Royal Commission on the Highlands and Islands of 1892, and of the existing congestion of population in the Lews. No proposition has been submitted to me or to the Congested Districts Board by the proprietor inviting their co-operation in the settlement of small holders on existing farms.

Opening of Public-houses during Prohibited Hours for sale of Non-intoxicants.

MR. RAWLINSON (Cambridge University): To ask the Secretary of State for the Home Department whether, under the provisions of the Licensing Bill, a licensed public-house will be entitled to be kept open during the hours during which it is enacted that licensed premises must be closed, provided such public-house is not open for the sale of intoxicating liquor.

(*Answered by Mr. Secretary Gladstone.*) Without pledging myself to the exact expressions used by the hon. Member I may say that it is proposed to insert a provision in the Licensing Bill declaratory of the existing law in the sense suggested by him.

Development of Forestry in Ireland.

MR. FIELD (Dublin, St. Patrick): To ask the Chief Sectetary to the Lord-Lieutenant of Ireland whether it is intended to take immediate measures to carry into effect the recommendation of the Departmental Committee on Forestry in Ireland; and whether he can explain why the Treasury never put any obstacle to enormous expenditure on warships whilst raising every opposition to the development of Irish resources and the employment of its people.

(*Answered by Mr. T. W. Russell.*) I answered a similar Question put by the hon. Member for East Clare on the 20th ultimo, and I have nothing at present to add to that reply.

Irish Trade Commissioner.

MR. FIELD: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he will take into consideration the advisability of appointing a Produce Commissioner for Ireland with similar functions to those entrusted to the Produce Commissioner representing New Zealand in Great Britain, with a view to look after the transit-market and other facilities necessary to carry on international trade.

(*Answered by Mr. T. W. Russell.*) It is not proposed to appoint such a Commissioner. The circumstances of Ireland, which is so near to, and has such rapid means of daily communication with, Great Britain, are entirely different from those of a distant Colony like New Zealand. The transit and marketing of Irish produce are matters to which the Department of Agriculture and Technical Instruction devote constant attention. The Department take action in various ways with a view to assist Irish producers to develop their trade in Great Britain. For instance, they give instructions in the packing and grading of different kinds of produce, they arrange for exhibits of Irish products at grocers' etc., exhibitions held in various important towns, and thus bring under the notice of British buyers the high quality of Irish agricultural produce and afford the Irish producer an opportunity of new markets for his goods; they give advice as to suitable markets, and help to bring buyers and sellers into communication with each other. Their transit inspectors watch the manner in which the produce is carried both in Ireland and in Great Britain, and a special staff is wholly employed in Great Britain for the detection of frauds affecting the sale of Irish produce. The hon. Member is referred to the Department's Seventh Annual Report for further details as to what is being done in these important matters.

Labourers performing Painters' Work at Royal College of Science, Dublin.

MR. NANNETTI (Dublin, College Green): To ask the Chief Secretary to the Lord-Lieutenant of Ireland, as representing the Board of Works, whether he is aware that labouring men are engaged doing painters' work by the contractor on girders and other metal work at the Royal College of Science, Merrion Street, Dublin; whether this is in accordance with the Fair Wages Resolution of this House; and, if not, what action he proposes to take.

(*Answered by Mr. Hobhouse.*) I am informed that a labourer has been engaged by the contractors in coating the structural girders at the Royal College of Science, Dublin, with preservative paint. This is in accordance with the invariable practice, both here and in England, for work of the kind and is not a violation of the terms of the Fair Wages Resolution. It is not finished painting, requiring the employment of a skilled workman, but is coating of a rough description carried out for preservative purposes only. These girders will ultimately be covered by concrete or plaster. All painting work on metal and elsewhere, properly assignable to skilled workmen, has been and will be executed by such workmen and paid for at the usual current rate of wages.

Purchase of the Estate of A. E. Humphreys.

MR. VINCENT KENNEDY (Cavan, W.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state at what stage the negotiations between the Estates Commissioners and the Land Judge have arrived in the purchase of the estate of A. E. Humphreys, county Cavan; and when may the tenants expect to be allowed an opportunity of purchasing.

(*Answered by Mr. Birrell.*) The Estates Commissioners inform me that the papers in this case are now with their inspector, who will report in due course. The estate is being dealt with in its order of priority, and, until the Commissioners are in a position to purchase the estate, they can make no arrangements for its resale to the tenants.

Application for Allotment by Michael M'Cabe.

MR. VINCENT KENNEDY: To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state whether one Michael M'Cabe, of Corfree Gowna, county Cavan, applied for an additional half-acre allotment in the Mullahoran rural district at the recent inquiry; was the same sanctioned by the council and confirmed by the inspector's order; and will he state now, if this plot is not to be supplied, what are the reasons for refusing.

(*Answered by Mr. Birrell.*) The owner of the farm from which the additional half-acre allotment was proposed to be taken appealed to the Local Government Board who, on consideration, allowed the appeal. The labourer is stated to be nearly eighty years of age, and the Local Government Board are of opinion that the half-acre already in his possession is sufficient for his needs.

Reckless Driving of Motor Cars.

MR. FIELD: To ask the First Lord of the Treasury whether the Government intend to introduce legislation with a view to safeguard the people of the three Kingdoms from the danger arising from the recklessness and speed frequently practised by the drivers of motor cars upon public roads.

(*Answered by Mr. Asquith.*) For the reasons given by me and by my right hon. friend the President of the Local Government Board, in reply to numerous Questions of the same kind, the Government do not intend to introduce legislation on the subject during the present session.

QUESTIONS IN THE HOUSE.

Greenwich Old-Age Pensions.

CAPTAIN CRAIG (Down, E.): I beg to ask the First Lord of the Admiralty whether he can state the number of pensioners at present in receipt of the Greenwich old-age pension of 5d. a day, the number of men who are entitled and qualified to receive it but who do not receive it, and the average length of time a man has to wait after qualifying for it before he is paid it; what is the procedure followed in promoting men on to the list, are they promoted strictly in the order in which they qualify, or is it necessary that interest should be brought to bear in each individual instance; and will he state whether men on discharge who are entitled and qualified to receive it eventually are fully informed of the necessary steps to take.

THE FIRST LORD OF THE ADMIRALTY (Mr. MCKENNA, Monmouthshire, N.): The reply to the first Question is 8,640. With regard to the second Question, the hon. Member is mistaken in assuming that any persons are entitled to Greenwich Hospital Age Pensions. The number who are qualified but have not received an award is 4,700 approximately. At present few pensioners receive age pensions before they are sixty-five, though a person may be qualified at fifty-five. The names of eligible men are registered as they apply. The only considerations which influence the Admiralty in making selections to fill vacancies are the age, circumstances, and necessities of the men. Applicants for Greenwich Hospital Age Pensions are already naval pensioners who are in regular communication with the Admiralty, to which Department they must be fully aware that they should make their applications.

Channel Fleet Command.

MR. ARNOLD-FORSTER (Croydon): I beg to ask the First Lord of the Admiralty whether the statement made by his predecessor in his Memorandum issued 23rd February, 1907, and confirmed by him in his speech of 1st May of the same year, in which it was laid down that, as the Fleets at Home will be combined for war under the order of the Commander-in-Chief of the Channel Fleet, the Channel, Atlantic, and Home Fleets will carry out periodic peace exercises together under the command of the Commander-in-Chief of the Channel Fleet, still holds good; whether the command of the combined Fleets has at any time been entrusted to the Commander-in-Chief of the Channel Fleet in accordance with the terms of the Memorandum, and, if not, why not; and whether the practice of withholding from the officer who will command in war the opportunity of commanding in peace the force with which he will be entrusted in time of war is followed in any country except our own.

MR. MCKENNA: The present Board have not renewed, and do not regard themselves as bound by, the statement referred to by the right hon. Gentleman. The command of the combined fleets was entrusted to the Commander-in-Chief of the Channel Fleet in October, 1907.

MR. ARNOLD-FORSTER asked the right hon. Gentleman whether it was not the fact that on the occasion when the Commander-in-Chief took over his command a large proportion of the vessels was under the command of somebody else. He also asked the right hon. Gentleman to reply to the last part of his Question.

MR. MCKENNA: In the last part of the right hon. Gentleman's question it is assumed as a fact that in other countries in every case all the ships which would be placed under the command of the Commander-in-Chief in time of war are, in fact, placed under his command in time of peace. I do not agree with that assumption. I can only refer to the most recent case of a serious war when, as a matter of fact, the Japanese Admiral was superseded by Admiral Togo when war was considered imminent.

MR. ARNOLD-FORSTER: The right hon. Gentleman has not yet answered either of my questions. May I ask him whether it is the fact that, when the Commander-in-Chief nominally received command of the whole force, half the force was under the command of somebody else, and whether, as he has quoted an illustration, the Commander-in-Chief of the German North Sea Fleet in time of peace is not the Commander-in-Chief in the event of war?

MR. MCKENNA: I have no knowledge of who will command in the event of war in the case of the German Fleet. With regard to the right hon. Gentleman's other question, the statement I have made that the combined Fleets were placed under the command of the Commander-in-Chief of the Channel Fleet in October, 1907, is strictly accurate.

MR. ARNOLD-FORSTER: May I ask for an answer to my question whether, when the vessels were nominally placed under the command of the Commander-in-Chief, he was deprived of the command of half of them ?

Mr. McKENNA : He may have been deprived of command of them for a time, but the whole of the ships were placed under his command on mobilisation.

Mr. AUSTEN CHAMBERLAIN (Worcestershire, E.) : For how long ?

Mr. McKENNA : I cannot say without notice.

Mr. BELLAIRS (Lynn Regis) asked the right hon. Gentleman whether he had informed the Commander-in-Chief that the present Board were not bound by the specific declaration made by a previous Board, and, furthermore, whether he would state to the House why the official request of the Commander-in-Chief of the Channel Fleet to be allowed to exercise this Fleet last August was refused by the Admiralty.

Mr. McKENNA : The hon. Gentleman's second Question does not arise out of the Question on the Paper, and, as it would involve matters of considerable discussion I would ask the hon. Gentleman to give me notice. With regard to his first Question, the Commander-in-Chief of the Channel Fleet has been informed that the statement referred to was not adhered to.

Examinations for Naval Cadets.

Mr. BELLAIRS : I beg to ask the First Lord of the Admiralty, in view of the misgivings which were expressed in the past as to whether subjects of general education were neglected in the syllabus of the cadets at Osborne and Dartmouth, whether he can see his way to publishing a Report on the last midsummer examinations in English and naval history.

Mr. McKENNA : I am unaware that any person of consequence has expressed misgivings in the past. The answer to the hon. Member's Question is in the negative.

Mr. BELLAIRS : Are we to understand from this answer that the Admiralty, when it suits it, will read the favourable Reports, but will refuse unfavourable ones when asked for by a Member of this House

Mr. McKENNA : No such inference can be drawn from the reply I have given to the Question.

Mr. BELLAIRS : I beg to ask the First Lord of the Admiralty, in view of the experience of the hon. Member for Woodstock as a University and Civil Service examiner, whether he will allow the hon. Member to see the Director of Naval Education's instructions to examiners under which recent examinations have been held at the Royal Naval College, Dartmouth ; and, if so, will he leave it to the discretion of the hon. Member to answer a Question addressed to him in the House as to whether the instructions do or do not deprive examiners of a necessary safeguard against anybody responsible for teaching the cadets being cognisant of the Questions that are going to be asked.

Mr. McKENNA : As I have already declined to give my hon. friend the Member for King's Lynn such permission, I must decline to give it to my hon. friend the Member for Woodstock. It would be invidious to draw distinctions between my two hon. friends.

*Mr. BENNETT (Oxfordshire, Woodstock) : Is it a fact that the Questions set for the examinations are actually revealed beforehand to any member of the staff charged with the tuition of the cadets ?

Mr. McKENNA : I must ask for notice of that.

Battleship Repairs.

Mr. ARNOLD-FORSTER : I beg to ask the First Lord of the Admiralty whether the rule laid down in the Board's Memorandum in December, 1904, that not more than two battleships were to be absent at any one time from the Channel Fleet for the purpose of refit has been abrogated ; and, if so, for what reason has the change been made, and has any rule new been framed, in substitution for that which has been abrogated, laying down the number of battleships which may be absent from the

Channel Fleet at any one time for purposes of refit.

MR. McKENNA: The Answer to the first part of the hon. Member's Question is in the affirmative. In reply to the second portion, the reason was given in my reply to the hon. Member for Lanark on 27th October. With regard to the last portion of the Question, no rule has been made, but the Commander-in-Chief is relied upon to assist in avoiding an accumulation of repairs.

MR. ARNOLD-FORSTER: Is it open to the Commander-in-Chief to revert to the ancient practice of sending the whole of the Fleet into repairs at the same time, which was the ordinary practice until this Order was made?

MR. McKENNA: That would not be regarded as a reasonable exercise of his discretion.

MR. MITCHELL-THOMSON (Lanarkshire, N.W.) asked whether the original rule which had been superseded in the case of the Channel Fleet was still applied in the case of the other Fleets.

MR. McKENNA: It would depend in each case on the number of vessels available in the event of war. Where the number of ships in any fleet is only just sufficient, or barely sufficient, to meet war requirements, then, undoubtedly, the rule would apply. But where there is a superabundance of vessels, it is not necessary strictly to apply the rule.

Alleged German Spies in the Isle of Wight.

MR. HICKS BEACH (Gloucestershire, Tewkesbury): I beg to ask the First Lord of the Admiralty whether a party of officers from the Naval War College went for a reconnaissance to the Isle of Wight a few weeks ago and found there some German officers engaged upon selecting suitable places for landing troops; whether the German Government grants similar facilities for reconnaissance to British officers; and, if not, whether the Government propose to prohibit foreign officers from exercising this freedom of investigation until their own Governments grant similar privileges to British officers.

MR. McKENNA: The circumstances related in the first part of the hon. Member's Question are entirely devoid of foundation.

MR. HICKS BEACH: Will the right hon. Gentleman answer the latter part of my Question?

MR. McKENNA: The latter part of the Question falls to the ground if there is no foundation for the first part.

MR. HICKS BEACH asked whether it was the accepted policy of His Majesty's Government to allow foreign officers of any country to reconnoitre over any portion of this country at their will and not to make any representations to other countries to get similar facilities.

*MR. SPEAKER: The sea is the dominion of the right hon. Gentleman and not the land.

MR. ARNOLD-FORSTER: May I ask whether it is not the fact that all the naval fortresses of Germany are under the direct control of the naval department, and whether it is open to British officers to reconnoitre in their vicinity?

MR. McKENNA: We have no evidence that any German officers have reconnoitred in the neighbourhood of British fortresses. Whether or not German fortresses are under the supervision of the German Admiralty has nothing whatever to do with the Question on the Paper.

MR. ARNOLD-FORSTER: That is not the Question I asked. The Question I asked was whether it is open to British naval officers to reconnoitre in the vicinity of German naval ports.

MR. McKENNA: If they are believed to be reconnoitring for purposes of espionage they would not be allowed.

MR. HICKS BEACH asked the right hon. Gentleman whether he had addressed inquiries to the Naval War College as to whether the facts were as stated in the Question.

MR. McKENNA: I have, and I am told that the whole story is a mare's nest.

MR. WILLIAM REDMOND (Clare, E.): Has the right hon. Gentleman's attention been called to the statement in the paper to-day that the German Emperor is going for a trip on Count Zeppelin's airship, and will he take precautions?

[No Answer was returned.]

The Jeddah Pilgrims.

*MR. REES (Montgomery Boroughs): I beg to ask the Under-Secretary of State for India whether he is aware that Mahomedan British-Indian subjects returning from the Haj complain that they do not receive adequate protection and assistance from the British Vice-Consul at Jeddah; and, if the Answer be in the affirmative, whether he will make inquiries in view to the comfort and convenience of British-Indian subjects in the Hedjaz.

THE UNDER - SECRETARY OF STATE FOR INDIA (Mr. BUCHANAN, Perthshire, E.): No authenticated report of complaints on the subject has reached the Secretary of State. Inquiry is being made by the Foreign Office.

"Bande Mataram."

DR. RUTHERFORD (Middlesex, Brentford): I beg to ask the Under-Secretary of State for India whether the plant of *Bande Mataram* has been confiscated; and, if so, whether he will inform the House for what reason.

MR. BUCHANAN: Only a conditional order of forfeiture, which does not affect the use of the press, has as yet been passed; the case for making the order absolute is now being heard.

*MR. REES: Has not this paper been distinguished for its active disloyalty to the Crown, the British Government in India, and the British nation?

[No Answer was returned.]

Communication between India and Lhassa.

CAPTAIN ARTHUR MURRAY (Kincardineshire): I beg to ask the Under-Secretary of State for India whether it is intended to establish a regular postal and telegraph service between India and Lhassa; and, if so, what steps, if any, have been taken in the matter.

MR. BUCHANAN: His Majesty's Government have no intention of taking any steps, in existing circumstances, with a view to the establishment of a postal and telegraph service between India and Lhassa.

SIR GILBERT PARKER (Gravesend): May I ask if under the Convention which exists between England and Russia a telegraph service can be established between India and Lhassa without the assent of the Russian Government?

MR. BUCHANAN: Under that Convention both England and Russia stipulate that they will not take advantage of any concessions for telegraphs without the assent of the other.

Rangoon River Training Works.

MR. SMEATON (Stirlingshire): I beg to ask the Under-Secretary of State for India whether he is aware that, in connection with the Rangoon River training works, on which an expenditure of nearly £1,000,000 sterling has been sanctioned, the Government of India has had its attention called by a local expert to the probable existence of an unforeseen danger which would jeopardise the whole work; whether the Government of India, notwithstanding this warning, declined to take any action in the matter; and whether the Secretary of State proposes to take any steps to have the existence or otherwise of this danger definitely ascertained before the work is proceeded with.

MR. BUCHANAN: The Secretary of State has received no information regarding the Rangoon River training works since the scheme was submitted for his sanction in August, 1907. He will ask the Government of India to report on the point raised by the hon. Member.

Bridging the Lower Ganges.

MR. MACCAW (Down, W.): I beg to ask the Under-Secretary of State for India whether he can give any reason for the delay in sanctioning the construction of the proposed bridge over the Lower Ganges at Sara Ghât, and when this sanction may be expected to be given.

MR. BUCHANAN: There has been much doubt as to the best site for the Lower Ganges bridge, which required careful investigation. It has recently been decided to adopt a site at, or near, Sara Ghât, and the Secretary of State does not anticipate that there will be any delay in commencing operations.

British Indians in the Colonies.

MR. HAROLD COX (Preston): I beg to ask the Under-Secretary of State for India whether the attention of the Secretary of State has been called to the efforts now being made in various self-governing British Colonies to exclude from such Colonies His Majesty's Indian subjects on the ground of differences in race and colour; and whether he will consider the desirability of providing by legislation that no white person born or domiciled in any such self-governing Colony shall be eligible for any post of profit under the Indian Government.

MR. BUCHANAN: The Secretary of State does not consider it desirable to take action as suggested in the Question.

*MR. REES: Is the hon. Gentleman aware that in many native States in India Europeans are prevented from settling or holding any office under the State?

MR. BUCHANAN: That hardly arises out of the Question on the Paper.

MR. BYLES (Salford, N.): May I ask whether this treatment by the Colonies of His Majesty's subjects on the ground of colour is not aggravating the unrest in India itself?

*MR. SPEAKER: That is a matter of opinion.

Ceylon Duties on Indian Tea.

*MR. REES: I beg to ask the Under-Secretary of State for the Colonies whether the Ceylon Government has recently informed the Secretary of State for India that it declines to repeal the import duty on Indian tea; and, if so, whether the reasons for this decision have been given and can be communicated to the House.

THE UNDER-SECRETARY OF STATE FOR THE COLONIES (Colonel SEELY, Liverpool, Abercromby): The views of the Ceylon Government have been communicated to the Secretary of State for India. The Ceylon producers are strongly opposed to the repeal which, in the opinion of the local government, would not be in the interests of the Colony. It is held that the removal of the import duty would result in Indian tea being exported in circumstances which would lead the purchaser to suppose that it was the produce of Ceylon. The further objection is taken that, if this concession were made to India, it could hardly be refused in other directions. The late Secretary of State was of opinion that this is a matter in which the local view must prevail, as no Imperial interest is involved, and my noble friend sees no sufficient reason to adopt a different attitude.

Tea Sales in Colombo Harbour.

MR. REES: I beg to ask the Under-Secretary of State for the Colonies whether he can give the House any information regarding the action taken by the Ceylon Government upon the representations of the local Chamber of Commerce and Planters' Association to the effect that the sale in Colombo harbour of low-class teas leads to the undue and undesirable lowering of the standards of quality of tea in the market.

COLONEL SEELY: I have no official information on the subject to which my hon. friend refers. It is one which is being constantly discussed in the local newspapers, but so far as I am aware no action has been taken by the Ceylon Government.

Diet of British Indians in Transvaal Prisons.

MR. HAROLD COX: I beg to ask the Under-Secretary of State for the Colonies whether he has received any complaint as to the character and quantity of the diet being served out to British-Indians imprisoned in the Transvaal gaols for non-compliance with the registration law; whether the Director of Prisons has refused to substitute a diet of rice for that of mealie meal at present being served and cooked with animal fat abhorrent to the religious and caste scruples of British-Indians; whether the prisoners in question are hard labour prisoners who, in consequence of this action of the authorities, complain of being half starved; and whether he will use his influence with the Transvaal Government to see that these prisoners are treated humanely.

Colonel SEELY: Yes, Sir. The Secretary of State has received complaints as to the diet of the Indians and has made telegraphic inquiry. The Governor states that the Indians arrested at Komati Poort on 29th September were provided with ample food, including rice, but that they preferred to obtain their own food outside, which they were allowed to do. Ministers further state that the ration of mealie meal which is used in the Transvaal prisons obtains in Natal and Cape Colony as far as Indian prisoners are concerned. It has figured in the Transvaal dietary scale since 1901, and is issued not only to Indians but to other Asiatics. Ministers do not state specifically whether the point regarding caste was considered, but as the scale has been in force for so long without, as far as I know, any protest, it must presumably have hitherto been accepted as free from objection on this score.

Morne Bruce Military Cemetery.

Mr. MITCHELL-THOMSON: I beg to ask the Under-Secretary of State for the Colonies whether he is aware that, since the surrender some years ago of all ordnance property in Dominica to the local Government, the old military burial-ground on Morne Bruce has been allowed to fall into ruin; and whether he will make representations with a view to securing its proper preservation.

Colonel SEELY: The Secretary of State has no official information on the subject, but the Administrator will be asked for a Report.

The Charges against Dinizulu.

*Mr. MACKARNESS (Berkshire, Newbury): I beg to ask the Under-Secretary of State for the Colonies whether in July Dinizulu was committed for trial on charges of high treason, public violence, sedition, rebellion, murder, conspiracy to murder, incitement to murder, and breaches of the Firearms Act of 1905; whether all the charges upon which he was committed for trial by the magistrate have now been dropped except that for high treason; and whether he can state upon what grounds those charges were not proceeded with by the Natal Government.

Colonel SEELY: The charges on which Dinizulu was committed are correctly stated in the Question, but I cannot say until the indictment is received what charges may have been dropped. The Government is sending a copy of the indictment home, and it shall be laid in due course.

*Mr. MACKARNESS asked whether, in the event of the charges in the indictment failing to be proved, any further charges could be made against Dinizulu.

Colonel SEELY: That is a hypothetical Question which I cannot answer.

Mr. MACKARNESS: I beg to ask the Under-Secretary of State for the Colonies whether in August Dinizulu was so seriously ill that he was removed to a hospital; whether on his recovery he made a personal application to the Natal Government to be allowed out on bail; whether any response was made to this application; and, if so, what it was.

Colonel SEELY: Dinizulu was removed to hospital in August and was subsequently returned to gaol. It would appear from the telegrams printed in Cd. 4328 that the regular life which he has been compelled to lead has considerably benefited his health. He applied to the Governor to be released on bail on 29th August, and the reply returned was that power to bail rests with the Supreme Court, with whose discretion the Governor could not interfere.

Dinizulu's Defence.

MR. MACKARNESS: I beg to ask the Under-Secretary of State for the Colonies whether he can state what amount has been paid to Dinizulu either by the Imperial or Natal Governments for arrears of salary or for the expenses of his defence.

COLONEL SEELY: £500 has been paid by the Natal Government.

*MR. MACKARNESS: Is it not well known to the Secretary of State that the expenses of Dinizulu's defence will amount to between £2,000 and £3,000, and can the hon. Gentleman say how they are to be met?

COLONEL SEELY: The Secretary of State is not aware what those expenses will be. He will be very glad to know.

Cyprus Police Force.

MR. MITCHELL-THOMSON: I beg to ask the Under-Secretary of State for the Colonies whether the police force of Cyprus has been largely below strength for the past two years; and, if so, whether steps will be taken by an increase of pay or otherwise to complete the establishment.

COLONEL SEELY: Provision has been made in the Cyprus Estimates for 1908–1909 not only for an increase in the rates of pay of the police force, but also for an addition of thirty-one constables to the authorised establishment. The additional expenditure involved this year is £6,108.

*CAPTAIN FABER (Hampshire, Andover): Will preference be given in filling these vacancies to those who have served His Majesty in similar forces in different parts of the world?

COLONEL SEELY replied that the claims of such men would be borne in mind.

Alleged Flogging of Natives in Natal.

MR. G. GREENWOOD (Peterborough): I beg to ask the Under-Secretary of State for the Colonies whether the Government of Natal has yet investigated the charges made by Miss Colenso with regard to the flogging and other ill-treatment of natives in Natal or Zululand, as set forth in her letter to the Prime Minister of Natal, dated 10th August last; whether that Government have supplied the information asked for by the Secretary of State in his telegram of the 17th September last to the Governor of Natal; whether the Natal Indemnity Act of this year would, in its present form, provide an indemnity even for such acts as are charged by Miss Colenso; and whether he can give an assurance that before the Royal Assent is finally given to that Act the same shall be modified by, at least, the excision of Section 4 thereof.

COLONEL SEELY: I fear I am not at present in a position to add anything to the correspondence published in the last Blue-Book [Cd. 4328].

MR. G. GREENWOOD: Is it the fact that the Act of Indemnity has not yet received the final sanction of His Majesty's Government?

COLONEL SEELY: Yes, that is so.

Coloured Labour in the Transvaal Mines.

MR. FELL (Great Yarmouth): I beg to ask the Under-Secretary of State for the Colonies what are the numbers of Chinese and Kaffirs, respectively, now confined in the compounds in the Transvaal, and the death-rate among the Chinese and Kaffirs according to the latest Returns.

COLONEL SEELY: The latest official Return shows that at the end of August 151,762 coloured persons were employed and 17,270 Chinese; according to the Transvaal Chamber of Mines the number of Chinese employed at the end of September was 14,655. The death-rates per 1,000, for the quarter ended 30th June, were 32·035 for natives, and 16·002 for Chinese.

AN HON. MEMBER: Do these figures relate to deaths from disease only?

COLONEL SEELY: No, Sir. The figures included deaths from all causes. The Chinese have a much better rate in regard to disease than natives, but their deaths from murder, homicide, and suicide were about six times greater.

Mr. FELL: Is not the net result that the death-rate among natives is more than double that among the Chinese, and therefore the effect of substituting native for Chinese labour has been——

Mr. SPEAKER: Order, order.

Reform of the Constitution of Malta.

Mr. HICKS BEACH: I beg to ask the Under-Secretary of State for the Colonies when the reform of the Constitution of Malta, as foreshadowed in the speech of the President of the Board of Trade to the elected members of the island last year, is to be carried into effect; and whether there are any Papers relating to the proposed reform that could be laid upon the Table of the House.

Colonel SEELY: I would refer the hon. Member to the reply which I gave to the Member for Jarrow yesterday. There are no Papers relating to this matter which could be usefully laid at the present juncture upon the Table of the House.

Disabilities of British Indians in the Transvaal.

Mr. J. M. ROBERTSON (Northumberland, Tyneside): I beg to ask the Under-Secretary of State for the Colonies whether British-Indians in the Transvaal may, by becoming naturalised as Portuguese subjects, escape the disabilities laid upon them in the Transvaal by the legislation against Asiatics.

Colonel SEELY: No, Sir; not as far as I am aware.

Uganda Railway.

Mr. WEDGWOOD (Newcastle-under-Lyme): I beg to ask the Under-Secretary of State for the Colonies whether his attention has been drawn to the balance-sheet of the accounts of the Uganda Railway, issued as Cd. 4354; and whether these accounts can be presented in future in sufficient detail to show separately the receipts from passengers, goods, Government stores, etc., to show the cost of maintenance and what expenditure on permanent way, etc., has been met out of revenue, and generally on lines more consonant with sound accounting and with the practice of the best railway companies.

Colonel SEELY: My hon. friend will find detailed accounts of the working of the Uganda Railway both in the annual Blue-book Report of the East Africa Protectorate presented to Parliament and in the Railway Report of the Protectorate for the year 1907–8, of which copies may be seen in the Library of the House of Commons.

Essen Railway.

Mr. BELLAIRS: I beg to ask the Secretary of State for Foreign Affairs if he has any information as to whether the main line from Essen to the North and West Coast of Germany has been, and is still being, reserved exclusively for the carriage of Government goods, chiefly armaments, so that ordinary trade is sent by a longer route; and, if no reports have been sent in, will he cause inquiries to be made by our Consular agents.

The SECRETARY of STATE for FOREIGN AFFAIRS (Sir Edward Grey, Northumberland, Berwick): I am under the impression that there is a German law of 1876 respecting railways, according to which no such reservation is made except in time of war, but I will make inquiry as to the facts.

The Persian Parliament.

Dr. RUTHERFORD: I beg to ask the Secretary of State for Foreign Affairs whether the Shah of Persia promised England and Russia to summon Parliament when order was restored in Azerbaijan; whether order has been restored in that province by the Parliamentarians; and whether the Shah has failed to fulfil his pledge on the advice and support of his Russian officers.

Sir EDWARD GREY: The Answer to the first part of the Question is in the affirmative. With regard to the situation in Azerbaijan, His Majesty's Acting Consul-General reported on 28th October that the town of Tabriz was perfectly quiet and the bazaar open, but that the Julfa road was still exposed to disorders. With reference to the last inquiry in the

Question, I am not aware that the Russian officers in the service of the Shah have acted as alleged; but the Russian Government have throughout acted in cordial co-operation with us in advising the Shah to summon a Parliament.

Dr. RUTHERFORD: Have any further steps been taken to press this matter on the Shah?

Sir EDWARD GREY: That is dealt with in the Answer to another Question.

Mr. G. GOOCH (Bath): I beg to ask the Secretary of State for Foreign Affairs whether the British and Russian Governments have renewed their advice to the Shah of Persia to summon a freely-elected Parliament; and, if not, when they intend to do so.

Sir EDWARD GREY: The British and Russian representatives at Teheran renewed identic representations on 14th October in the sense mentioned.

*Mr. REES: Is it not the fact that the Russian officers in the service of Persia have been highly instrumental in preserving order and so have assisted materially both Powers which are parties to the Convention?

Sir EDWARD GREY: That is dealt with in a separate Question also.

Mr. LYNCH (Yorkshire, W.R., Ripon): May I ask if the advice given to the Persian Government by the Russian and British Governments has been to summon a freely-elected Parliament?

Sir EDWARD GREY: The general object has been to secure the carrying out of promises made in that direction.

Cuban Fishing Dispute.

Mr. CARLILE (Hertfordshire, St. Albans): I beg to ask the Secretary of State for Foreign Affairs whether he is aware that the Bahamian turtling schooner "Georgie" was seized in the month of May, 1908, by the Cuban authorities and conveyed to the port of Santiago, where the owners were fined for alleged illegal fishing in Cuban waters; whether the "Georgie" was at once released and the fine remitted in consequence of the energetic action of the British Consul at Santiago; whether the schooners "General" and "Emma Smith" were seized by the Cuban authorities under identical circumstances and taken to Cienfuegos, where there is no British Consul; whether His Majesty's Minister at Havana failed to take the necessary steps for their release, and whether, as a consequence, the catch in these cases was confiscated, the vessels and crews detained for three months, and the owners heavily fined; whether the Government propose to take steps, and, if so, what steps, to obtain suitable compensation; and whether he is aware that captains of vessels hitherto engaged in this industry now refuse to continue in it because they fear they will be killed by the Cubans.

Sir EDWARD GREY: The information received by His Majesty's Government with regard to the incidents referred to by the hon. Member is to the following effect: The Bahamian schooner "Georgie" was seized by the Cuban revenue cutter "Baire" on 23rd May, and taken to Santiago de Cuba. The commander of the "Baire" stated that the vessel was, at the time of her capture, one mile from the shore. The master of the "Georgie" stated that she was five miles from the shore. The "Georgie" was not accused of illegal fishing. A fine was imposed on the vessel, because one live turtle and thirty-three shells of turtles below the legal size were found on board her, and these and the remaining turtle shells on board were confiscated on the ground that the animals from which they were secured had been taken in Cuban waters. His Majesty's Minister at Havana was immediately informed of the incident by His Majesty's Consul at Santiago, and made representations to the Cuban Government. In consequence of these representations, the fine was entirely remitted, and the vessel finally released by a Government decree of 14th August. The schooners "General" and "Emma Smith" were seized on 11th May, but not under similar circumstances to the "Georgie." On 12th May, the day after the capture of the schooners, the British

Vice-Consul telegraphed particulars to His Majesty's Minister at Havana. The latter lost no time in approaching the Cuban Government, and did, I am convinced, all that it was possible to do to expedite the release of the vessels. Owing to his representations, the fines were reduced from $940 in the case of the "General" to $440, and from $830 in the case of the "Emma Smith" to $330, and the vessels were released on 30th July. His Majesty's Government, as at present advised, are not aware of any sufficient ground for claiming compensation in the cases of the "General" and the "Emma Smith," which there is reason to suppose were both seized in territorial waters within the three-mile limit. In the case of the "Georgie," any further evidence in support of a claim for compensation will receive their careful consideration. They have no information to show that captains of Bahamian turtling vessels have ceased to continue their industry.

Earl of RONALDSHAY (Middlesex, Hornsey): I beg to ask the Secretary of State for Foreign Affairs if an order was recently given by the captain of the Cuban revenue cutter "Aileen" that the British flag flying on the British turtling schooner "Emma Smith" should be taken down; and if he can say on what grounds such an order was given.

Sir EDWARD GREY: There is nothing in the Reports received from His Majesty's Minister at Havana, nor in the depositions of the master and mate of the "Emma Smith," to corroborate the statement that the schooner was called upon by the Cuban revenue cutter "Aileen" to haul down the British flag.

Earl of RONALDSHAY: I beg to ask the Secretary of State for Foreign Affairs what was the nature of the investigation recently carried out by the Cuban authorities, with a view to determining the guilt, or otherwise, of the masters of certain British turtling schooners alleged to have been illegally turtling in Cuban waters; and can he say whether the accused masters were given an opportunity of denying upon oath the truth of the charges brought against them.

Sir EDWARD GREY: The investigation in question was instituted by the Cuban Department of Finance. At this investigation the masters of the vessels were afforded the opportunity of making their depositions as to the facts, but whether such depositions were taken on oath there is no evidence at present before His Majesty's Government to show. At the instance of His Majesty's Minister at Havana, a further inquiry was undertaken by the Cuban State Department. His Majesty's Minister was satisfied that the schooners were within territorial waters, but a part of the fines was remitted as a result of his representations.

Earl of RONALDSHAY: Was not that portion of the fine which was remitted that which the schooner was not liable to pay as she was taken into harbour under *force majeure*?

Sir EDWARD GREY: That may have been so, but the evidence went to show that the vessels were actually fishing in territorial waters, and, of course, under those circumstances we could not put forward any claim.

Earl of RONALDSHAY: I beg to ask the Secretary of State for Foreign Affairs if a sailor on board the British schooner "Empress," engaged in the Bahama turtling business, was recently shot by an officer on board a Cuban revenue cutter; and, if so, what was the reason for such action on the part of the said officer, and what steps are His Majesty's Government taking to safeguard the lives of British subjects in these waters.

Sir EDWARD GREY: It is true that Charles Bethel, the cook of the schooner "Empress," was wounded by a shot from a Cuban official of the revenue cutter "Baire." According to the Cuban official account, this was the result of an accident, but the crew of the "Empress" maintain that the shot fired was intentional. The discrepancy between these statements has been brought to the notice of the Cuban

Government by His Majesty's Minister, who has pressed for compensation for the sufferer. His Majesty's Government are always ready, as I have before stated, to take the necessary steps for the protection of British interests, but no special measures beyond the demand for compensation seem called for at present, till we know what reply we receive.

Old-Age Pensions.

MR. TIMOTHY DAVIES (Fulham): I beg to ask Mr. Chancellor of the Exchequer if he will give a Return of the number of applications for old-age pensions received in the administrative County of London to date, giving the number claiming 1s., 2s., 3s., 4s., and 5s. respectively; and will he give the ratio per 10,000 of the estimated population on 30th June last.

THE CHANCELLOR OF THE EXCHEQUER (Mr. LLOYD-GEORGE, Carnarvon Boroughs): Up to 24th October 34,047 applications for old-age pensions have been received in the Administrative County of London, giving a ratio of 71 per 10,000 of the estimated population on 30th June last. As the applications do not specify the mount of pension claimed in each case, I am unable to state the number of persons claiming 1s., 2s., 3s., etc., respectively.

MR. TIMOTHY DAVIES: I beg to ask Chancellor of the Exchequer if he will give a complete Return of the number of applications received up to date for old-age pensions, giving the number claiming 1s., 2s., 3s., 4s., and 5s., respectively; and will he also give the ratio per 10,000 of the estimated population on 30th June last of claims from England, Wales, Scotland, and Ireland, separately.

MR. LLOYD-GEORGE: The number of applications received up to 24th October and the ratio per 10,000 of estimated population on 30th June last are as follows:—

——	No. of applications received.	Ratio per 10,000 of population.
England (excluding Monmouthshire)	320,042	97
Wales (including Monmouthshire)	20,227	91
Scotland	59,244	123
Ireland	162,658	273
Total	562,171	126

In my reply to my hon. friend's previous Question I have explained that I am unable to give the remaining information for which he asks.

MR. HAROLD COX: May I ask the right hon. Gentleman whether he attributes the greater ratio in Ireland to the greater longevity of the Irish people or their greater power of imagination?

MR. JOYCE (Limerick): Is it not due to the extensive emigration of the younger people?

[No Answer was returned.]

Licensed Houses and Death Duties.

MR. HIGHAM (Yorkshire, W.R., Sowerby): I beg to ask Mr. Chancellor of the Exchequer what was the total number of licensed houses valued for death duties by the Inland Revenue Commissioners during the last completed year; and what was the total number of licensed houses in the United Kingdom on 31st March, 1907.

MR. LLOYD-GEORGE: No separate record is kept in the Estate Duty Office of licensed houses valued for death duties. The total number of Excise licences issued in the year ended 31st March, 1907, in the United Kingdom, for consumption "on" the premises was 124,348, and for consumption "off" the premises was 39,512, but there is no information as to the number of licensed houses in the United Kingdom.

Pensions and Furniture.

Mr. FELL: I beg to ask Mr. Chancellor of the Exchequer on what basis the £30 worth of furniture, referred to in the instructions to the pension officers, was calculated; and was it adopted as the British equivalent of the £50 real and personal property allowed to be deducted under the New Zealand Pension Act, 1898.

Mr. LLOYD-GEORGE: The test applied in the selection of a limit of allowance for furniture was what might reasonably be required to make a home habitable, and it was felt that a sum not exceeding £30 would meet the case. This conclusion was reached quite independently of the limit adopted under the New Zealand Pension Act, 1898.

Scotland and Old-Age Pensions.

Mr. MORTON: I beg to ask Mr. Chancellor of the Exchequer whether he will see that the officers appointed to carry out the Old-Age Pensions Act in the Highland counties of Scotland are acquainted with the Gaelic language.

Mr. LLOYD-GEORGE: I am not aware that any difficulty has arisen in the Highland counties of Scotland in connection with the Gaelic language and the working of the Old-Age Pensions Act, nor have I received any complaints on the subject. But, if my hon. friend will inform me of any cases of hardship which may come to his notice, I will see that the necessary steps are taken to deal with the matter.

Mr. MORTON: Provision was made for that in the Crofters Act of 1896, and other Acts.

Mr. LLOYD-GEORGE: And similar provision will be made in this case.

Unemployed Grant.

Mr. BOWLES (Lambeth, Norwood): I beg to ask Mr. Chancellor of the Exchequer, in reference to the proposed contribution of £300,000 in aid of expenses under the Unemployed Workmen Act, 1905, during the coming winter, whether it is intended to present to this House a Supplementary Estimate for this expenditure before the expenditure is undertaken; if so, when will this Supplementary Estimate be presented; and, if not, can he inform the House by what procedure and out of what moneys this contribution will be obtained.

Mr. LLOYD-GEORGE: The House has already voted £200,000 out of the £300,000 on a Supplementary Estimate presented in July last. It is proposed to submit a further Supplementary Estimate of £100,000 early in next session.

Mr. KEIR HARDIE (Merthyr Tydvil): May I ask whether the Supplementary Estimate cannot be so framed that the money may be used for other purposes than subsidising distress committees?

Mr. LLOYD-GEORGE: I must ask for notice; I am not quite sure as to the applications.

National Debt.

Mr. FELL: I beg to ask Mr. Chancellor of the Exchequer if the reduction in the national indebtedness referred to in the Budget statement will be affected, if the receipts into the Exchequer estimated in the Budget are not realised.

Mr. LLOYD-GEORGE: No, Sir. The sums applicable to the reduction of debt, referred to in the Budget statement, consisted mainly of the realised surplus of 1907–8 and the capital included in the fixed debt charge for the current year. The amounts available from these sources are not dependent on the realisation of the Budget Estimate of revenue. So far as I can see at present, the Budget arrangements with regard to the reduction of debt are not likely to be interfered with.

Administration of the Licensing Act in Birmingham.

Mr. SCOTT (Ashton-under-Lyne): I beg to ask the Prime Minister if his attention has been called to a resolution of the magistrates of Birmingham to the effect that, owing to the inadequacy of the compensation clauses of the Licensing Act, 1904, as interpreted by Mr. Justice Kennedy, they are unable to reduce the number of redundant licences in Birmingham at a satisfactory rate, and urging the Government to increase the rate of reduction; and will he say how many licences will be extinguished in the city of Birmingham if the Licensing Bill becomes law.

*THE UNDER-SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. HERBERT SAMUEL, Yorkshire, Cleveland): My right hon. friend has asked me to answer this Question. His attention has not been called to any such resolution. It is impossible to give, in actual figures, the number of licences that will be reduced under the Government scheme, since that must depend in part upon the modifications of the statutory scale that may be proposed by the licensing justices, and sanctioned by the Commission.

MR. YOUNGER (Ayr Burghs) was understood to ask if figures could be given showing the extent of the reduction without the modifications?

*MR. HERBERT SAMUEL: It is easy for anyone to obtain them.

The Imprisoned Suffragists.

MR. SUMMERBELL (Sunderland): I beg to ask the Secretary of State for the Home Department if he is aware that the three lady suffragettes, Mrs. Drummond, Mrs. Pankhurst, and Miss Pankhurst, were, previous to their imprisonment, compelled to undergo the indignity of being stripped and searched by prison wardresses; and, if so, can he state if he is prepared to take steps with a view to the prevention of such indignities in the future.

MR. HERBERT SAMUEL: All prisoners, of whatever class, have, under the rules sanctioned by Parliament, to be searched on admission to prison. These rules it is necessary to maintain. Female prisoners are not stripped, but have to change to prison clothes in the presence of two female warders, by whom they are searched. The Prison Commissioners will see that as much privacy is allowed as is consistent with the necessity for efficient search. In regard to the three ladies mentioned, as my right hon. friend said last Wednesday, the usual practice was modified by the Governor, who allowed them to change their clothes in a locked cell.

Truck Committee's Report.

MR. SEDDON (Lancashire, Newton): I beg to ask the Secretary of State for the Home Department whether he can state when the Report of the Truck Committee will be presented to the House.

MR. HERBERT SAMUEL: The Lord Advocate, who, as my hon. friend is aware, is Chairman of the Committee, informs the Secretary of State that he hopes that it may be possible to present the Report towards the end of the present month. As my hon. friend knows, the work of the Committee has been very laborious.

Motor Fatalities.

MR. BENNETT: I beg to ask the Secretary of State for the Home Department whether the police authorities have any record of the number of accidents and of deaths arising out of motor traffic in England and Wales, or either, during the first six months of the present year and, if so, will he state what that record is.

MR. HERBERT SAMUEL: The only figures available are those for London. I must refer my hon. friend to the Answers the Secretary of State gave to the hon. Member for the Newbury division on 26th October, and to the hon. Member for the Mansfield division on 21st October.

MR. BENNETT: Is any record kept of accidents outside London?

MR. HERBERT SAMUEL: The figures are being collected.

The French Tariff.

EARL OF RONALDSHAY: I beg to ask the Secretary of State for Foreign Affairs if he can now say what is the nature of the revision of the French tariff proposed by the Customs Commission to the Chamber of Deputies; will the proposed revision, if carried out, involve the levying of a higher rate of duties upon British imports into France; and, if so, can he say the extent of the increased duties upon elastic fabrics.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. CHURCHILL, Dundee): My right hon. friend has asked me to reply to this Question. I understand that the Customs Commission of the Chamber of Deputies has for some time been considering proposals for the revision (mainly in the direction of increased duties) of the French tariff. As regards elastic tissues the Commission have recommended that the "minimum" tariff rates of duty shall range from 200 to 600 francs per 100 kilograms according to the nature of the weft. The existing rate is 200 francs per 100 kilograms for all descriptions.

EARL OF RONALDSHAY: Are His Majesty's Government prepared to take any steps to prevent injustice to British manufacturers?

MR. ARNOLD-FORSTER: Has any Report been received as to what will be the effect of this new arrangement on the Bradford trade?

MR. CHURCHILL: As to the last Question I should like to have notice. Of course, the Government will take all reasonable and judicious steps to secure the interests of British traders.

*MR. MYER (Lambeth, N.): Is it not the fact that no matter what duty any country may put on goods, it does not affect our exports in the least, but merely raises the prices of the manufacturers in foreign countries to our prices plus duty?

*MR. SPEAKER: That is rather leading to a debate.

Assurance Policies.

MR. SUMMERBELL: I beg to ask the Secretary of State for the Home Department if his attention has been called to a clause in the policies of assurance companies which stipulates that such companies are not bound by the acts of their agents or representatives unless the same be countersigned by the general manager; and, if so, whether he is prepared to take steps by legislation or otherwise to make such companies responsible for the acts of their agents or representatives when acting as such on behalf of the company.

MR. CHURCHILL: I do not know whether any insurance company issues policies containing a clause stipulating that the company is not bound by the acts of its agents or representatives unless countersigned by the general manager. My attention has, however, been called by the hon. Member to a clause in a policy issued by an insurance company in which it is stated that no agent or other representative has any authority to dispense with the express performance of any of the conditions referred to in the policy and that no alterations of the policy or any endorsement thereof will be valid as against the company unless the same be countersigned by the general manager of the company. The clause as worded does not appear upon its face to be illegal. I must however add that the whole question of the responsibility of this class of company for statements made by their agents is receiving attention.

Statistical Abstract of the British Empire.

MR. HICKS BEACH: I beg to ask the President of the Board of Trade why the Statistical Abstract of the British Empire for 1907 was only issued on the 29th October, 1908; and whether he will consider the possibility of securing the publication of an official volume of such interest at a shorter interval than ten months after the end of the year to which it refers.

MR. CHURCHILL: I think the hon. Member must refer to the Statistical Abstract for the United Kingdom which has just been issued, and not to the Abstract for the British Empire. The reason for the late issue of this volume this year has been already explained in reply to a Question addressed to me on 14th October by the hon. Member for Norwood, of which I am sending the hon. Member a copy.

French Duty on Elastic Tissues.

EARL OF RONALDSHAY: I beg to ask the President of the Board of Trade what was the amount of elastic tissues sent from Great Britain to France in 1907 and from France to Great Britain in the same year; and what was the rate of duty levied on the British-made fabrics by France and on the French fabrics by Great Britain.

MR. CHURCHILL: Particulars of the exports of elastic tissues from this country are not separately recorded in British Official Trade Accounts, but, according to the French official Returns, 47,466 kilograms (8,718 cwts) of elastic tissues, valued at 711,990 francs. (£28,450 were imported into France from the United Kingdom during the year 1907. The exports of elastic tissues of French manufacture from France to the United Kingdom in 1907 amounted, according to the same Returns, to 51,510 kilograms (1,014 cwts.), valued at 875,670 francs. (£35,027). The import duty levied in France on elastic tissues of British manufacture is at the rate of 200 francs per 100 kilograms (£4 1s. 4d. per cwt.). No import duty on elastic tissues is levied in this country.

EARL OF RONALDSHAY: Will the right hon. Gentleman say the nature of the steps taken to secure the proper treatment of British manufacturers?

[No Answer was returned.]

Relief Works Register of Employees.

*CAPTAIN FABER: I beg to ask the President of the Local Government Board whether he will cause a register of names to be kept during the next three and six months at all relief works opened for unemployment throughout the Kingdom showing for how many consecutive days each individual man has worked, with a view to discovering how many genuinely unemployed are in real want of work.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. JOHN BURNS, Battersea): I think that this information is already in the possession of the distress committees, although they are not required to keep a register in a prescribed form.

CAPTAIN FABER: How is the information collected if no register is kept?

*MR. JOHN BURNS: The distress committee have, I think, clerks who have to fill in forms, a copy of which I shall be pleased to send the hon. Gentleman.

CAPTAIN FABER: Would the forms show how many consecutive days the men work?

MR. JOHN BURNS: I should think so.

Circencester Vaccination Case.

MR. LUPTON (Lincolnshire, Sleaford) I beg to ask the President of the Local Government Board, with reference to the three cases of injury resulting from vaccination performed by Dr. Cossham, at Cirencester, if the premises where these children, or any of them, lived were in such an insanitary condition that the child could not be safely vaccinated; and, if so, if he will, in accordance with the rules as to payments to public vaccinators, prohibit the payment of fees in this case, or take other proceedings against the vaccinator.

MR. JOHN BURNS: Two of the cases referred to were of a trifling kind, and need not, I think, be further considered. A public vaccinator is precluded from vaccinating a child if, in his opinion, the condition of the home is such that the child cannot safely be vaccinated; but I understand that in the third of the cases in question, the public vaccinator, at the time the operation was performed, had not formed the opinion that the home was too insanitary to allow of vaccination being safely performed. The insanitary conditions were discovered subsequently. I am, of course, desirous that everything practicable should be done to minimise the risk of accidents of the kind which occurred in this case, and I am considering whether some further instructions might be issued with a view of securing this result.

MR. LUPTON: Is it not the fact that in all cases recently investigated in which vaccination has gone wrong the excuse has been that the premises were insanitary, and does not that show a universal neglect of the law?

MR. JOHN BURNS: I think the hon. Member's imputation is not justified.

National and Local Indebtedness.

EARL OF RONALDSHAY: I beg to ask the President of the Local Government Board what is the total amount of the local debt of the country, as compared with the National Debt, at the present time, or at the latest date for which figures are available.

MR. JOHN BURNS: The aggregate amount of the outstanding loans for all purposes of the local authorities in the United Kingdom was £564,645,200 at the end of the year 1905-6, the latest year for which the complete figures are available. The amount of the National Debt at the end of the same year was £788,990,187.

MR. WEDGWOOD: Can the right hon. Gentleman give the figures showing the assets?

MR. JOHN BURNS: Yes, they have been stated in a previous Return.

MR. BELLOC (Salford, S.): Is it not the fact that a very much larger proportion of the local indebtedness represents profit-bearing expenditure than is the case with the National Debt?

MR. JOHN BURNS: Yes, a very much larger proportion.

Hackney Marshes.

MR. BROOKE (Tower Hamlets, Bow and Bromley): I beg to ask the President of the Local Government Board whether, seeing that the distress in the East End of London is likely to be severe this winter, he is considering some scheme of work, *e.g.*, the reclamation of Hackney Marshes, on which numbers of the genuine unemployed of the East End may be permanently employed during the worst months of this winter.

MR. JOHN BURNS: It is for the Central (Unemployed) Body to consider what scheme of work they will propose for the purpose of providing useful work for the unemployed during the winter. I understand that, although there is no formal application before the Central Body with regard to the particular scheme mentioned in the Question, some inquiry has been made with respect to it.

Employment for ex-Service Men in the Post Office.

*CAPTAIN FABER: I beg to ask the Postmaster-General whether he can see his way to employing more old soldiers and sailors as postmen and carriers to the Post Office in place of, as in some cases now, employing women whose husbands are in full civilian work and men who are in constant civil employment to do postal work.

THE POSTMASTER-GENERAL (Mr. SYDNEY BUXTON, Tower Hamlets, Poplar): As regards the established postmen, all the appointments are given to ex-messengers or to ex-soldiers and sailors. As a rule, the duties on which women and men with other work are employed are small delivery duties for a few hours a week, which do not, therefore, carry sufficient pay to attract ex-soldiers and sailors. It is the practice not to employ women on such work if suitable men can be found to undertake it.

CAPTAIN FABER: But is it not the fact that people who are in full employment do this work?

MR. SYDNEY BUXTON: It is only in cases where the duty amounts to a few hours per week. The matter is a small one, but if the hon. Gentleman can quote me any cases I will consider them.

Carnarvon Post Office.

MR. ELLIS DAVIES (Carnarvonshire, Eifion): I beg to ask the Postmaster-General whether, in view of the unemployment in the town of Carnarvon, he will take steps to have the proposed alterations in the Post Office buildings commenced immediately.

MR. SYDNEY BUXTON: Plans have been settled, and I hope shortly to be able to ask the owner of the property to have the alterations put in hand.

National Telephone Service.

MR. LUPTON: I beg to ask the Postmaster-General if, in view of the fact that the Government will take over the telephone service on 1st January, 1912, and that 6,000 employees of the Telephone Company are to be discharged on that account, he will guarantee to the Telephone Company a return of their future capital expenditure, with interest, so that the discharge of good workmen may be stopped and the telephone service taken over in 1912 in first-class condition.

MR. SYDNEY BUXTON: I have not anything as yet to add to the various replies I have lately given to similar Questions.

Newcastle-on-Tyne Telephone Service.

MR. J. M. ROBERTSON (Northumberland, Tyneside): I beg to ask the Postmaster-General whether in Newcastle-upon-Tyne an estimate for telephone construction work to the amount of between £7,000 and £8,000 has been prepared and has been approved by the engineer-in-chief; whether the work has been put aside for lack of capital; and whether he can make an arrangement to ensure its speedy prosecution.

MR. SYDNEY BUXTON: No work of telephone construction at Newcastle-on-Tyne has been deferred by the Post Office for lack of capital. I am not aware whether anything of the kind has happened as regards the system of the National Telephone Company, but, if so, the arrangement which I am now endeavouring to make with the Company for the uninterrupted prosecution of construction works would probably be applicable.

Franco-British Exhibition—Education Collection.

MR. RENDALL (Gloucestershire, Thornbury): I beg to ask the President of the Board of Education whether he has seen the collection illustrative of British education in all its phases at the Franco-British Exhibition; and whether he will take any steps to preserve it in some form as a nucleus of a permanent educational exhibit.

THE PARLIAMENTARY SECRETARY TO THE BOARD OF EDUCATION (Mr. TREVELYAN, Yorkshire, W.R., Elland): The President of the Board of Education has visited the exhibition several times, and is glad to think that the exhibition must have afforded much stimulus to local education authorities and others. The suggestion that the collection should be taken over by the Government as a permanent exhibit has been under careful consideration. It raises, however, several serious difficulties, and in particular that the Government have no space at their disposal or in prospect which would suffice for any substantial portion of the exhibits. I may add that the possibility of making a few selections from particular sections of the exhibition for permanent preservation is still being considered by the Board.

MR. RENDALL: If space is provided by a private donor will the Government undertake the annual cost of maintenance?

MR. TREVELYAN: Such an offer would, of course, be considered.

Education Grants.

EARL OF RONALDSHAY: I beg to ask the President of the Board of Education if he can see his way to reverting to the system of payment of annual grants to local education authorities, which was in vogue up to 31st March, 1906.

MR. TREVELYAN: No, Sir; my right hon. friend regrets that he is unable at present to adopt the suggestion contained in the Question.

EARL OF RONALDSHAY: Has the right hon. Gentleman received a deputation on the subject?

MR. TREVELYAN: I am not sure.

Carnarvon Castle.

MR. ELLIS DAVIES: I beg to ask the First Commissioner of Works whether, in view of the number of men who are out of employment in the town of Carnarvon, he can see his way to employ an increased number in the repair of Carnarvon Castle.

THE FIRST COMMISSIONER OF WORKS (Mr. L. HARCOURT, Lancashire, Rossendale): Carnarvon Castle is not a building suitable for this kind of work.

Pointing the walls is the only repair possible; the work has to be done with great care, and the winter is not a suitable time to carry it out. I therefore regret that I am unable to adopt my hon. friend's suggestion; but I will take care that as many men are kept employed as is consistent with the circumstances.

Sheep in Scottish Crofting Counties.

MR. DUNDAS WHITE (Dumbartonshire): I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, what has been the total number of sheep on the sheep farms in the crofting counties of Scotland for 1901 and each subsequent year.

THE TREASURER OF THE HOUSEHOLD (Sir EDWARD STRACHEY, Somersetshire, S.): The number of sheep in the crofting counties of Scotland on holdings exceeding one acre on 4th June in each year from 1901 to 1908 is as follows—

Year.	Argyll.	Caithness.	Inverness.	Orkney.	Ross and Cromarty.	Shetland.	Sutherland.	Total.
	No.	No.	No.	No.	No.	No.	No.	No.
1901	926,143	131,196	596,263	35,327	310,745	115,311	205,746	2,320,731
1902	903,973	128,936	575,021	37,223	282,755	116,096	198,825	2,242,829
1903	891,369	132,829	569,181	36,708	268,948	133,552	201,375	2,233,962
1904	839,123	123,126	544,809	34,119	262,313	137,206	200,569	2,141,265
1905	842,704	126,151	537,632	32,735	264,897	139,563	196,516	2,140,198
1906	834,229	124,197	532,880	34,157	262,002	130,700	195,453	2,113,618
1907	838,732	131,682	554,358	35,713	279,047	131,606	206,024	2,177,162
1908	865,410	133,663	559,316	37,504	289,785	133,955	209,365	2,228,998

Dwelling Houses on Small Holdings.

MR. BRIDGEMAN: I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, if he can state how many of the applicants for small holdings have asked for the erection of new dwelling-houses, and how many new dwelling-houses the local authorities have undertaken to provide under the Act of 1907.

SIR EDWARD STRACHEY: The demand for houses is small, under 5 per cent. The schemes already received provide for the erection of sixteen dwelling-houses.

Expenditure under the Agricultural Holdings Act, 1907.

MR. BRIDGEMAN: I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, if he can state how much of the £100,000 voted for the purpose of the Agricultural Holdings Act, 1907, to be spent before 31st March, 1908, was spent before that date, how much of it has been spent since, and upon what objects it has been spent.

SIR EDWARD STRACHEY: The amount voted was not intended to be spent before 31st March, 1908, and no payment out of it has so far been made. Considerable liabilities in relation to the acquisition of land have, however, been incurred by county councils and these will be repaid by the Board in pursuance of Section 17 of the Act.

MR. BRIDGEMAN: Is it all likely to be spent before 31st March?

SIR EDWARD STRACHEY: There is no obligation to spend it before that time.

Refreshments in the Strangers' Smoking Room.

MR. H. H. MARKS (Kent, Thanet): I beg to ask the hon. Member for Mid Derby, as Chairman of the Kitchen Committee, whether visitors to the House of Commons Strangers' Smoking Room, who are not Members of the House, are allowed to pay for refreshments served to them; and whether this is done with his cognisance and authority.

SIR JAMES JACOBY (Derbyshire, Mid): The Kitchen Committee have had this matter under consideration. Visitors are not allowed to pay for refreshments served in the Strangers' Smoking Room, and the waiters have stict orders to take payments from Members only. Notices to this effect are on the walls of the room. The Committee have decided to enforce this regulation, and if the hon. Member is able to inform me of any breach of the rule, immediate steps will be taken to prevent its recurrence.

Crown Estates and Unemployment.

*SIR ROBERT HOBART (Hampshire, New Forest): I beg to ask the Secretary to the Treasury whether, in view of the fact that His Majesty's Commissioners of Woods and Forests are very great landowners, he will forthwith give extensive additional employment on the Crown estates upon works of public utility, such as road-making or repairing, which have been hitherto withheld under normal conditions for financial reasons, with a view to giving relief to the unemployed in the present emergency.

THE FINANCIAL SECRETARY TO THE TREASURY (Mr. HOBHOUSE, Bristol, E.): The question of how far it may be practicable to push on during the coming winter with works which have been held over for any reason, or which would be economically advantageous to the Crown Estates, is receiving the Commissioners' earnest consideration.

*SIR ROBERT HOBART suggested the repair of certain roads in the New Forest such as the old Roman Road between Hurdley Common and Dibden Manor, which had been much neglected for many years.

Sales of Crown Lands in Carnarvon.

MR. ELLIS DAVIES: I beg to ask the Secretary to the Treasury if he will state when, and to whom, the Crown parted with the land it formerly owned in the parishes of Llanllechid and Llandegai, in the county of Carnarvon, and what consideration it received therefore in each case.

MR. HOBHOUSE: I am informed by the Commissioners of Woods that there have been only two sales by them in the parishes named, viz.: (1) To Hon. Edward Gordon Douglas Pennant, dated 10th August, 1858, of 6,129 acres 0 roods 3 poles of unenclosed waste land, subject to rights of common, and 6 acres 0 roods 27 poles of enclosed waste land, all in the parish of Llanllechid, together with collection rents amounting to £6 9s. 10d. per annum. Minerals reserved. Consideration £1,739 10s. (2) To James Tomkinson and Henry Platt, dated 5th March, 1891, of land containing 5 acres 0 roods 6 poles, with messuage known as Bryn Hall and minerals under 242 acres 0 roods 19 poles, part of the above-mentioned open-waste, all in the parish of Llanllechid. Consideration, £12,000.

Customs Preventive Men's Grievances.

MR. SUMMERBELL: I beg to ask the Secretary to the Treasury if he can state when an answer may be expected to the petition presented of the preventive men in His Majesty's Customs in the early part of the present year.

MR. HOBHOUSE: I presume the hon. Member refers to the deputation from the Preventive Men's Association which I received last May. I am not aware of any other petition now outstanding. As regards the points raised at the deputation I endeavoured to make my views clear to them. There was, however, one question, that of overtime, which was left undecided, and I regret that I am not yet in a position to announce a decision on this subject.

Estate Duty Office Clerks.

EARL OF RONALDSHAY: I beg to ask the Secretary to the Treasury if, in consequence of the introduction of a new scheme for the staffing of the Estate Duty Office, certain clerks of the second division in receipt of salaries calculated in accordance with an Order in Council of 21st December, 1907, will, on promotion, be in receipt of salaries considerably lower than those of their present colleagues who are not selected for promotion.

MR. HOBHOUSE: The Answer is in the affirmative.

Clyde Foreshores.

MR. DUNDAS WHITE: I beg to ask the Secretary for Scotland whether any representations have been made to him as to the possibility of providing remunerative employment by reclaiming any part of the foreshores of the Clyde above Greenock, on either side of the fairway, between the training walls and high-water mark; whether these foreshores belong to the Crown or to private persons; whether they are entered in the valuation roll; and, if so, what is taken as the rateable value of them or any part of them.

THE SECRETARY FOR SCOTLAND (Mr. SINCLAIR, Forfarshire): No representations have been received on the subject referred to by my hon. friend. I understand the foreshores in the positions described are mainly the property of the Crown.

Scottish Fishery Cruiser.

MR. MITCHELL-THOMSON: I beg to ask the Secretary for Scotland what is the tonnage and speed of the proposed fishery cruiser for Scotland.

MR. SINCLAIR: The approximate gross registered tonnage of the new cruiser will be 300 to 320 tons, although the actual figure cannot be stated until the vessel is built and measured by the official surveyors. It is not, I think, expedient to state the speed of the vessels constituting the protective fishery fleet.

Trawling in Prohibited Areas Bill.

MR. MORTON: I beg to ask the Secretary for Scotland when he proposes to take the Second Reading of the Trawling in Prohibited Areas Bill; and whether he is aware of the feeling in Scotland that something should be done at once to protect the Scottish fishermen.

MR. SINCLAIR: I have nothing at present to add to the assurance given by me on this subject to the hon. Gentleman the Member for North Aberdeen on 21st October. The Bill will be taken as soon as other business permits.

Burning of a Crofter's House at Creich.

MR. MORTON: I beg to ask the Lord Advocate if he has yet made inquiry into the burning of a crofter's house and some of his effects in July last in the parish of Creich, Sutherland.

THE LORD ADVOCATE (Mr. THOMAS SHAW, Hawick Burghs): I have made the inquiry. The person occupying the house was not a crofter and had for a considerable time neither tilled the land nor paid rent. The responsibility for the burning rests entirely with the proprietrix. Whatever might be my own opinion as to what has occurred, the circumstances do not appear to disclose any ground on which I would have a title to interpose or take action.

MR. MORTON asked for a copy of the Report of the inspector who made the inquiry.

MR. THOMAS SHAW replied that it would be contrary to practice to produce it.

MR. MORTON: Then alter the practice.

Irish Expenditure.

MR. GINNELL (Westmeath, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland, in view of the fact that in local government and civil administration Ireland is, as compared with Scotland, over-officered and her officers over-paid, and the burden placed upon the people least able to bear it, whether he will avoid aggravating this burden by creating any new office, and take advantage of the measures now before Parliament to confer upon local bodies in Ireland power of reducing expense and increasing efficiency by combining kindred and overlapping duties, such as those of rate collector, sanitary officer, relieving officer, and any other duties of a like nature to be performed in the same area.

THE CHIEF SECRETARY FOR IRELAND (Mr. BIRRELL, Bristol, N.): Without discussing the assumption contained in the first part of the Question, I may say that the Government are fully alive to the desirability of economy in the administration of local government. It is in the power of local bodies to take action, with the consent of the Local Government Board, for the reduction of local expenditure, and the Board are always prepared to give the fullest consideration to any such proposals. I have no information showing that legislation is necessary as suggested, but the Local Government Board are prepared to consider any definite proposal which the hon. Member may make.

Vaccination in Ireland.

MR. LUPTON: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland what was the amount paid out of rates and taxes in Ireland for vaccination in the years 1905, 1906, and 1907.

MR. BIRRELL: The expenditure of local authorities in Ireland under the Vaccination Acts in 1905 was £18,091; in 1906, £12,027; and in 1907, £10,404.

MR. LUPTON: I beg to ask the chief Secretary to the Lord-Lieutenant of Ireland what proportion of the children born in Ireland are vaccinated; and if he has any official Reports showing whether one of the effects of infant vaccination is to produce such a weakening of the system as facilitates the inroads of tuberculosis.

MR. BIRRELL: I would refer the hon. Member to the annual Report of the Registrar-General for Ireland for the year 1907 (Cd. 4233), which gives the latest information regarding vaccination of children in Ireland. There are no official Reports of the nature referred to in the last part of the Question.

MR. LUPTON: Will the right hon. Gentleman inquire if the process has not a weakening effect on children, thereby producing tuberculosis?

*MR. SPEAKER: Order, order.

Sweated Industries.

MR. BRIDGEMAN: I beg to ask the Prime Minister if His Majesty's Government have decided not to introduce a Bill dealing with sweated industries during next session.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. ASQUITH, Fifeshire, E.): No, Sir, the Government have arrived at no such decision. I cannot make any statement as to the course of next session's legislation, but the hon. Member may be assured that the matter is one that the Government will not lose sight of.

Trawling in Prohibited Areas Prevention Bill.

MR. WILLIAMSON (Elgin and Nairn): I beg to ask the Prime Minister on what date he expects to take the Second Reading of the Trawling in Prohibited Areas Prevention Bill.

The following Questions on the same subject also appeared on the Paper:—

MR. ANNAN BRYCE (Inverness Burghs): To ask the Prime Minister when he proposes to take the Second Reading of the Trawling in Prohibited Areas Prevention Bill.

CAPTAIN WARING (Banffshire): To ask the Prime Minister whether he will make arrangements so that the Trawling in Prohibited Areas Prevention Bill will be proceeded with this session.

MR. SUTHERLAND (Elgin Burghs): To ask the Prime Minister whether the Government is to press forward the Trawling in Prohibited Areas Prevention Bill through the House this session.

MR. ASQUITH: I am not able as yet to give a date for the Second Reading of this Bill. It will be taken at the earliest convenient opportunity after the Scottish Education Bill. The Government are fully alive to its importance, but I cannot, of course, at this stage give any definite assurance as to its further progress.

Government Amendments to the Licensing Bill.

Mr. A. J. BALFOUR (City of London) asked the Prime Minister whether his attention had been called to a series of Amendments to Clause 24 of the Licensing Bill in the name of the Solicitor-General that were to be discussed that night; whether these Amendments were nearly three times as long as the clause, and whether they did not entirely recast the substance of that clause and raise questions of very great difficulty and complexity. He further asked whether these Amendments did not appear on the Paper for the first time that morning, and no man in the House had the smallest notion they were going to be put down; whether under the closure Resolution it would not be necessary to deal with this absolutely new matter before half-past ten that night; and whether the right hon. Gentleman would put them down as a new clause on the Report stage in order to give the Opposition an opportunity of considering the new proposals of the Government and of making up their minds whether in their opinion they should be opposed or not. He asked to be allowed to make an observation in the nature of an appeal and to ask the right hon. Gentleman whether he did not consider that it was making the closure system absolutely unworkable when the Government could not settle on their Amendments until the day they were to be discussed; and whether, if the House thought it necessary that they should discuss the Bill under these particular conditions, the Government would take the trouble to see that the conditions were not made unnecessarily harsh.

Mr. ASQUITH said that the right hon. Gentleman had taken the opportunity to make a speech of a very contentious kind under the guise of asking a question. To anyone who had studied the course of the Bill his complaint, if complaint it was, was entirely unfounded. More than half the Amendments down in the name of the Solicitor-General were the fulfilment of a pledge given by himself to an hon. Gentleman sitting immediately behind the right hon. Gentleman, and although they had been modified by the substitution elsewhere of "may" for "shall" they had been on the Paper for a considerable time.

Mr. SAMUEL ROBERTS (Sheffield, Ecclesall) called the attention of the Prime Minister to the fact that the Amendment in the name of the Solicitor-General had been very materially altered since yesterday.

Mr. ASQUITH replied that it had been altered to give better and fuller effect to the demand of the hon. Gentleman, and for no other purpose. In regard to the other Amendments, the only new one was that dealing with the definition of monopoly value. That was also a matter that he had undertaken in speech on the Second Reading and more than once since to deal with. There was nothing new in the proposals, which had been indicated over and over again in his own speeches and those of his colleagues.

Mr. AUSTEN CHAMBERLAIN (Worcestershire, E.): We have asked for it, but the right hon. Gentleman has not given it.

Mr. ASQUITH quite agreed that it now appeared in its formal shape for the first time, though its nature had been indicated over and over again. He quite agreed that it was a matter of great importance, and if in the ordinary course of their proceedings that night, there was no opportunity for discussion he would put it down for a very early moment on the Report stage. He did not think it desirable to make a new clause, as the right hon. Gentleman had suggested, but he had the fullest wish that it should be discussed on the Report stage.

SELECTION (STANDING COMMITTEES).

Sir William Brampton Gurdon reported from the Committee of Selection; That they had discharged the following

Member from Standing Committee B (in respect of the Housing, Town Planning, etc., Bill): Mr. Solicitor-General; and had appointed in substitution (in respect of the said Bill: the Lord Advocate.

Report to lie upon the Table.

LICENSING BILL.

Considered in Committee.

(In the Committee.)

[Mr. EMMOTT (Oldham) in the Chair]

Clause 21:

MR. JAMES HOPE (Sheffield, Central), in moving the insertion of the words "save as hereinafter provided," said it must be read in conjunction to the Amendment in his name lower down, which ran as follows: "Nothing in this section shall prevent the grant of an excise licence to a spirit dealer or wine dealer where the trade to be carried on is of a wholesale character and where any retail sales in connection therewith are merely auxiliary and incidental to the carrying on of a wholesale business." The clause was really of a very grave and far-reaching character, and he was glad to see, by one of the Amendments put down by the learned Solicitor-General, that the Government recognised that fact. He did not think the hon. and learned Gentleman's Amendments were satisfactory, but he was glad at any rate that the Government realised the seriousness of the position which the clause created. The clause, in order to be understood, must be read with no less than three other clauses, two in existing Acts of Parliament, and one in this Bill. It must be read first of all with the third clause of the Bill, as amended on the Motion of the First Commissioner of Works. It must be read, secondly, in connection with Section 4 of the Licensing Act, 1904, and, thirdly, in connection with Section 10 of the Licensing Act, 1904. The whole of that made a somewhat complicated study. Reading these four clauses together, so far as he could come to a conclusion, they meant this. First of all, a man in business as a wine or spirit dealer who entered into that business before 25th June, 1902, would be safe under this clause till 1930, *i.e.*, till after the expiration of the reduction period, plus the additional seven years. A man going into the business between the years 1902 and 1909 would be safe till 1930 against being charged monopoly value for his licence, but he would not be safe against a refusal to renew. A man going into the business after 1st June, 1909, would be subject to monopoly value charges and the risk of refusal to renew; and after the expiration of twenty-one years all dealers in wines and spirits, under the clause as it stood, would be subject to the extra charge for monopoly value for off-licences, and also to the risk of refusal to renew, and the effect of the clause would be that by 1930 the State would have the monopoly of the wine and spirit trade, wholesale and retail, throughout England. He now came to the Solicitor-General's Amendment, the second on the Paper, the effect of which would be to exempt the wholesale wine dealer from the effect of the clause. As long as he dealt wholesale he would be able to go on with his business, and would be protected by Section 10 of the Act of 1902, and would not be liable to have a renewal of his licence refused. So far, so good. But he wanted to ask why should wine alone be exempt and not spirits. What essential difference was there between the two? The spirit dealer, wholesale or retail, would have to submit to the justices, even though his business was not a local business at all. The justices would have an absolute right of refusing to renew the licence of any spirit dealer, even though he was a wholesale dealer and practically did no business whatever in the locality. A wholesale spirit dealer in London would be liable to have all his business in any part of the country absolutely cut away. He submitted that there was no possible justification for this provision—unless indeed it were held that dealing in spirits was something *per se* worse than dealing in wine, then the question might arise; or there was the possible explanation that these provisions were destined to be the first steps towards the State ultimately establishing either a Gothenburg or a Norwegian Bolag system; but if that was the intention of the Government, he submitted that that ought to have been declared from the first. It might be said that under the last words of the section the existing holders would be protected. It was quite true that they would be protected so long as they themselves carried on the business, but what if they wanted to sell? The purchaser would not be protected. He would have to go, cap in hand, to the justices just the same as any ordinary retail dealer, and the justices might very likely—there was no telling what their action would be—refuse a renewal of the licence, and therefore the existing property, the goodwill of the business, would be hopelessly depreciated, and if the spirit dealer wished to make his business over to his son, he would do so with the property enormously reduced. The whole question of a man's substantial property, of the security on which he could borrow money, would be enormously affected by the clause, even as amended, in the case of a spirit dealer, although there would seem at first sight to be protection for the man himself so long as he carried on the business and did not part with it to anyone else. Apart from that there were one or two objections more of detail. In the first place, even as regarded the wholesale wine merchant, he was put in a very unfortunate position, as it was very often a necessary condition of business to send out sample bottles, and that would not be possible under the Solicitor-General's Amendment. Also, he was informed, even the wholesale wine merchants in very expensive qualities—such articles as liqueur brandies and Chartreuse—very often got orders from large customers for six bottles at a time, and great inconvenience would be caused if they had to go cap in hand to the magistrate. Now another question arose. He was told that on the face of them the words of the Solicitor-General would want some further confirmation. He was informed that there was no such thing at present as a wine dealers' wholesale licence. There was a wine dealers' retail licence under the Act of 1867, and there was a wine dealers' general licence under a much older Act—the sixth of George IV., c. 81—a wholesale licence which embraced a retail licence too. It was a licence for a dealer in foreign wines to sell wholesale and retail alike. But in this case the object was to give a licence to sell wholesale only, and he was informed that no such licence now existed, and if that was so they could not create it by merely giving a discretion to the Commissioners under this clause. It would require fresh legislation, and being financial legislation imposing a new tax, they would have to go into Committee of Ways and Means and get a Resolution before it could be carried out. If that was so, the intention of the hon. and learned Gentleman would not be carried out by those words. How far did the Amendment meet the case of those whom it was ostensibly meant to protect? There were very few firms, he imagined, probably only some specialised firms like importers of port wine and the like, who did not do a spirit business as well, and the spirit business was not protected. Therefore, this would apply to the ordinary merchants in this way, even though the other difficulties about samples and the new form of licence were got over, that he would be safe only as to one part of his business. The other part would be immediately jeopardised. He would be put, so soon as the actual holder had ceased to be in business, under the discretion of the justices, so that in case of the sale of his property the whole value would be enormously reduced, because although the wine value might to some extent be maintained the spirit value would be enormously cut away. Some other words were necessary, and he submitted that his words were better than those of the hon. and learned Gentleman. The object was to protect the *bona fide* wholesale business in wine or spirits, and with regard to samples it would be quite possible for the vigilance of an Excise officer to put a stop to retail sales by fraud in the way of samples, and at the same time the ordinary retail business would no doubt come within the purview of the justices. If the clause was maintained, even with the Solicitor-General's Amendment, no wholesale wine and spirit dealer's business, taken as a whole, would be safe from immediate depreciation and ultimate great loss, and, although in perhaps a rather smaller sphere, the Government would have struck another of those blows at confidence in trade of which they had already given so many examples.

Amendment proposed—

"In page 14, line 13, after the word 'shall,' to insert the words 'save as hereinafter provided.'"—(*Mr. James Hope.*)

Question proposed, "That those words be there inserted."

THE SOLICITOR-GENERAL (Sir S. EVANS, Glamorganshire, Mid.) said he hoped to persuade the hon. Member that they had dealt fairly with these licences. The origin of the proposals here put forward was to be found in Section 10 of the Act of 1902, and, speaking generally, the policy of that section was to make it necessary to have a justices' licence as well as an excise licence for all premises where liquor was to be sold by retail to be consumed off the premises. There came as a proviso to the subsection this—

> "Provided that this subsection shall not apply to any excise licence taken out by a spirit dealer or wine dealer for premises which are exclusively used for the sale of intoxicating liquors or intoxicating liquors and mineral waters or other non-intoxicating drinks and which have no internal communication with the premises of any person who is carrying on any other trade or business."

That was in order to protect people who *bona fide* carried on in separate premises not communicating with any others a business which a spirit merchant under a spirit licence, or a wine merchant under a wine licence, could carry on. They thought that wherever intoxicating liquor was to be supplied for consumption off the premises, and by retail, a justices' licence ought to be obtained. They did not touch the wholesale supply of intoxicating liquor either in the provisions of this clause or in the provisions with regard to monopoly value. Monopoly value only attached to such licences as required to be granted by the justices themselves, and as wholesale licences did not require to be granted by the justices they did not come within the purview of these provisions. It was found in practice that where justices had refused to give a retail licence because the premises communicated with other premises where other businesses were carried on, the merchant took a small place for himself which did not in fact communicate, and, therefore, he said he came within the proviso. They wanted to put a stop to that, and that was a reason why they had introduced this Clause 21. A wine dealer's licence authorised him to sell not only wholesale but retail also, while a spirit dealer must have a wholesale licence and a retail licence. He had given notice of his Amendment to protect wine dealers from being affected by this clause, and it was entirely in their interest that it was put in. The wine merchant only had to take out a wholesale licence. It had been decided by a case in the Courts that his wholesale licence enabled him to sell not only wholesale but retail also.

MR. YOUNGER (Ayr Burghs): Why not give the spirit dealer the same facility?

SIR S. EVANS said because he had to take out two licences. In so far as the spirit dealer sold under a retail licence he was within the mischief against which they thought they were providing by this clause. With regard to those who already held their licence, their position was safeguarded as much as possible, and all who applied for licences before 1st January, 1909, would be put in the same position as if the Act were not passed. That meant that they would not require the justices' licence to be confirmed by any authority, and that they would be entitled to appeal from the refusal of the justices to grant a licence. Assuming it to be right to have a retail licence for the sale of intoxicating liquor to be consumed off the premises, there ought to be a justices' licence as well as an excise licence, with regard to both spirits and wine. Carrying out that policy they had put those who had a licence now in this protected position, and they would not be affected by the provision in regard to monopoly value and other provisions in the Bill. They had put in this entirely for the protection of the wine dealer. The question of the spirit dealer was different, because he took out a spirit licence not only for retail but for wholesale.

MR. A. J. BALFOUR (City of London) said he did not think the point was any less complicated after the explanation of the Solicitor-General. He did not profess himself to be an expert on the subject, but there were two points upon which he should like to be satisfied. The hon. and learned Gentleman had told them that the clause distinguished the case of the spirit merchant from that of the wine merchant, but he gathered that it was a purely technical distinction. He understood that wholesale wine merchants and wholesale spirit merchants, in the ordinary exercise of their trade, sold specimen bottles to persons whom they hoped would be their customers. Did that bring them within the definition of retail trader? Was a man subject to all the disabilities attaching to the retail trade if, in the exercise of a wholesale business, he sold specimen bottles to those who were already his customers or whom he hoped would be his customers? His second point was the offering of samples of the liquor on the premises to would-be customers whom the wholesale merchant desired to secure. Would that be retail consumption on the premises? If the Solicitor-General could assure him that in neither of the cases he had mentioned the wholesale trader would be hampered by the clause they were discussing, he would feel that he had not much to complain of. He hoped that point would be made quite clear, because at present they were a little uncertain as to the precise position on the points he had raised.

MR. CAVE (Surrey, Kingston) pointed out that there was no such thing as a wholesale wine licence known to the law. There was a licence to sell wine, which covered both wholesale and retail trade. He hoped the Amendment would receive further consideration.

*MR. GRETTON (Rutland) said that according to the information he had received there was only one kind of wine dealers' licence and that covered sale, wholesale and retail, and also the sale of spirits. There was no provision defining what a wholesale licence was. He could not understand the action of the Government in this matter in exempting wholesale spirit merchants, and harassing retail wine merchants, and he did not think any case had been made out for refusing to continue the present system of excise licences to retail dealers in wines and spirits. To have to go before the justices every year was very obnoxious, and it was a very unnecessary restriction unless a real case could be made out that the present administration of the law was unsatisfactory and that the public interest had suffered. His information was that no such state of things had arisen and some explanation should be offered to the Committee as to why all these difficulties should be created by an unnecessary provision of this kind.

SIR S. EVANS said he had already indicated that a justices' licence would not be required for the grant of an excise licence to a wine dealer to enable him to sell wine wholesale only. He was advised that the giving of samples on the premises or sending samples would not constitute a sale retail, and would come within the powers of the person carrying on business under a wholesale licence. The Amendment on the Paper, he believed, carried out what the Government intended; if it did not then they would have to reconsider the point. If a person only wanted so sell wine wholesale he did not need to go before the justices, but if he wanted to sell retail as well he would require not only the excise licence but the justices' licence as well.

MR. AUSTEN CHAMBERLAIN (Worcestershire, E.) said the Solicitor-General had stated that the giving of a sample would not bring the wholesale merchant within the purview of this section. There was nothing in the Bill to prevent anyone giving beer, spirits, or wine as they pleased. His experience of wine merchants was that they were not in the habit of giving but selling the samples. A wine merchant might send three bottles of different wines as a sample with the idea of obtaining a wholesale order. A sale might or might not follow, just as the recipient was pleased or displeased with the samples and the price. His experience was that wholesale merchants were in the habit of charging for such samples. He wished to know if the sale of samples of wine in that way would bring the wine merchant within the scope of the section applying to the retail trader.

SIR S. EVANS said that if the quantity sold was below the quantity sold by retail a justices' licence would be required, but if it came within the wholesale category as a part of a larger parcel sold it would be a wholesale order. It was, in his opinion, a question of fact in each case.

MR. AUSTEN CHAMBERLAIN said it was obvious that it was impossible for a wine merchant in perfectly *bona fide* cases to guarantee that a wholesale order would follow the submitting of samples. He would be quite satisfied if the Solicitor-General assured him that the fact of the transaction being intended to lead to and was necessary for the purpose of obtaining a wholesale order would be accepted as a test of the *bona fides* of the transaction whether an order followed or not.

SIR S. EVANS said that that was the general law at present, and they did not propose to alter it in the Bill before the House.

*MR. YOUNGER said this was rather an exceptional case. It was one upon which both the Majority Report and the Minority Report of the Royal Commission were in agreement. That Commission considered the question and recommended that wholesale licences required by brewers, distillers, and wine and spirit merchants should not require the consent of the justices and should not come under the control of the licensing authority. The Commission came unanimously to the conclusion that these licences should be exempted. The Solicitor-General had not shown any ground for making the change except the desire to get some monopoly value out of these houses. The hon. and learned Gentleman was perfectly aware that they had no monopoly value at present. They were in that respect in a different position from on-licences, which had, of course, a monopoly value. Therefore, by this particular provision the Government were going to create a monopoly value for the purpose of afterwards securing it. He thought that was the object of the clause. The hon. and learned Gentleman had not produced any evidence to show that there was any ground for supposing that the retail use of these licences either for wine or spirits had been in any way abused. The desire was to get as much as possible out of the unfortunate people who held these licences. In that connection it would be interesting to know what definition of monopoly value the Solicitor-General proposed to apply to these licences. He thought it would be exceedingly difficult to apply any. The hon. and learned Gentleman would be well advised if he discarded his own Amendment and accepted that proposed by his hon. friend which would meet the case.

MR. WYNDHAM (Dover) said the hon. and learned Gentleman had told the Committee that he wished to meet the case which had been represented from the Opposition side. He had based his refusal to accept the Amendment proposed by the hon. Member for the Central Division of Sheffield on the ground that he did not wish to alter the general law. But what he was doing by the clause now under discussion was to repeal a section of the Act of 1902.

SIR S. EVANS: Only affecting the proviso.

MR. WYNDHAM said it was proposed to repeal a provision in the Act of 1902, and to substitute a proviso which contained a phrase unknown to the general law. How would these words be construed—

> "A justices' licence shall not be required for the grant of an Excise licence to a wine dealer to enable him to sell wine by wholesale only?"

His hon. friend had pointed out that this was a novelty which must be interpreted before it could be understood. It had already been pointed out that a wine dealer had a licence which embraced both wholesale and retail trade. If the hon. and learned Gentleman put into a new Act of Parliament words specifying the wholesale trade as distinct from anything else he was doing the very thing which he said he was not doing. He was altering the general law, and the effect would not be known until it was interpreted in particular cases.

SIR S. EVANS said his reason for saying that they were not altering the general law was that the law now provided for licences which were applicable to wholesale and retail trade. They were not in any sense altering the law as to wholesale supply. His answer to the right hon. Gentleman was the same as he had given to the hon. and learned Member for Kingston, namely, that the intention was to avoid altogether the necessity for a justices' licence in the case of the wholesale dealer. Therefore, if a wine merchant wanted only to sell wine wholesale, he need not go to the justices at all. He had put down his Amendment lest it might be argued that the licence would entitle him, whether it did or not, to sell by retail. The Amendment did not touch the wholesale licence at all. The Government were anxious that the justices' licence should be necessary for the purpose of selling by retail. In answer to the hon. Member for the Ayr Burghs he would point out that what the Commission reported was that in their opinion it might be desirable with certain exceptions even to require a justices' licence for the wholesale trade.

*MR. YOUNGER said the explanation of that recommendation was that there were Excise licences which were taken out by shebeening people, and they desired to stop that. The Commission did not wish to get at the ordinary respectable wine and spirit merchant, and therefore they said that he should be exempted.

SIR S. EVANS: We are not doing anything against the recommendation. We are not affecting the wholesale licence, or proposing to bring it within the jurisdiction of the licensing justices.

MR. YOUNGER: Oh, yes, you are.

MR. SAMUEL YOUNG (Cavan, E.) suggested that in the Solicitor-General's Amendment the words "or spirit" should be inserted after the word "wine."

SIR S. EVANS: It is not necessary.

MR. LYTTELTON (St. George's, Hanover Square) said they were very nearly agreed on this matter. It seemed to him that the single point which remained outstanding had reference to the widespread practice of wine dealers sending out sample bottles in prosecution of wholesale trade. To interfere with that practice in any way would be to encumber business seriously, and judging from what the Solicitor-General had said it was not his desire to do so. He himself, if he were acting as a Judge, would certainly direct a jury in the sense of his hon. friend's Amendment. He would say to the jury that a wine dealer who sent out a sample bottle was *bona fide* carrying on trade of a wholesale character, the sale of the sample bottle being ancillary or incidental to the carrying on of the wholesale business. The Solicitor-General said that that would not be the direction which a Judge would give, but that he would direct that when sample bottles were sold to customers and paid for the sales were retail sales. He thought that would be a manifest injustice, but he must defer to what the Solicitor-General had said. It came to this, that if a wine dealer sent out sample bottles he would require a justices' licence, and would therefore fall within the extremely onerous conditions attaching to monopoly value. He thought the Government, if they did not want to act unjustly towards wholesale wine dealers, ought to accept the Amendment moved by his hon. friend.

MR. G. D. FABER (York) said the supply of sample bottles was often important to a wine merchant's business nowadays. He understood that in the present conduct of the trade sales frequently consisted in supplying consignments of half-a-dozen, a dozen, or up to two dozen bottles to meet small wants all over the country. Two dozen bottles came within the definition of a wholesale sale. In future the whole of these sales would be stopped unless wine merchants got a justices' licence as well as an Excise licence. This change might hereafter involve the wine merchant in the net of monopoly value, and that would be a most serious matter. They were going to cut at the root of a great deal of the trade carried on by wine merchants. Another point which was not clear to his mind was in regard to the spirit dealer's licence. The Solicitor-General had said there was no necessity to exempt the spirit dealer. The Act of 1902 which the hon. and learned Gentleman had quoted mentioned the spirit dealer as well as the wine dealer. He asked him to tell the Committee why it was not necessary to insert words exempting the spirit dealer.

MR. MITCHELL-THOMSON (Lanarkshire, N.W.) said it seemed to him that some alteration in the clause was necessary to meet the point stated by the hon. Member for Kingston. The Solicitor-General had stated that a justices' licence would not be necessary to enable a wine merchant to sell wine by wholesale only. There was no such thing as an Excise licence to enable a man to sell wine by wholesale only. But that was not their Amendment at all. At any rate, the Amendment as it stood did not mean what their intention was. He suggested the desirability of the Government's reconsidering the wording of the clause.

MR. JAMES HOPE said that the answer of the hon. and learned Gentleman in regard to the spirit dealer's licence was satisfactory. He understood that the case of the wholesale spirit dealer was covered already. As for this form of licence which enabled the wine dealer to carry on wholesale dealing, he maintained that it was not possible for the Commissioners of Inland Revenue to issue a fresh form of licence. Legislation would be necessary, and as that legislation involved taxation it would have to be initiated in Committee of Ways and Means. In order to get over that difficulty the Government said that the Commissioners of Inland Revenue might issue a licence, which enabled a man to deal both wholesale and retail under the licence, to deal wholesale only. The dealer would go to the Excise and get a licence which said distinctly that he could deal both wholesale and retail, but when he got it he presumed that the dealer would have to enter into some sort of obligation that he would not use his legal rights, that he would only use the power of dealing wholesale under that form of licence. Surely that would be rather a strange situation. He thought it would be better frankly to say: "Let him deal both wholesale and retail so long as the retail sales are merely auxiliary and incidental to the carrying on of a wholesale business." And let the Excise put it that it was a condition of such a licence being granted that the licensee gave such an undertaking. Then in regard to sample bottles, that case had evidently not been met. He thought it would be met by the words of his Amendment. He did not profess that his Amendment covered all the difficulties that had arisen, but neither did the Amendment of the hon. and learned Solicitor-General. He said that, subject to an undertaking on the part of the licensee such as he had described, the hon. and learned Gentleman should consent to adopt his words.

Question put.

The Committee divided:—Ayes, 93; Noes, 238. (Division List No. 318.)

AYES.

Acland-Hood, Rt Hn Sir Alex. F.
Arnold-Forster, Rt Hn. Hugh O.
Aubrey-Fletcher, Rt. Hn. Sir H
Balfour, Rt. Hn. A. J. (City Lond)
Banbury, Sir Frederick George
Baring, Capt. Hn. G (Winchester
Barrie, H. T. (Londonderry, N)
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Butcher, Samuel Henry
Campbell, Rt. Hon. J. H. M.
Carlile, E. Hildred
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Chamberlain, Rt Hn. J. A. (Worc.
Clark, George Smith
Clive, Percy Archer
Collings, Rt. Hn. J. (Birmingh'm
Courthope, G. Loyd
Craig, Charles Curtis (Antrim, S.)
Craik, Jir Henry
Cross, Alexander
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Duncan, Robert (Lanark, Govan
Faber, George Denison (York)
Faber, Capt, W. V. (Hants, W.)
Fardell, Sir T. George
Fletcher, J. S.
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Goulding, Edward Alfred
Gretton, John
Hardy, Laurence (Kent, Ashf'rd
Harris, Frederick Leverton
Harrison-Broadley, H. B.
Hay, Hon. Claude George
Heaton, John Henniker
Hill, Sir Clement
Hills, J. W.
Hunt, Rowland
Kerry, Earl of
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Lee, Arthur H. (Hants, Fareham

Lockwood, Rt.Hn.Lt.-Col.A.R.
Long,Col.Charles W.(Evesham)
Long,Rt.Hn. Walter (Dublin,S.
Lonsdale, John Brownlee
Lyttelton, Rt. Hon. Alfred
MacCaw, William J. MacGeagh
Marks, H. H. (Kent)
Mason, James F. (Windsor)
Morpeth, Vescount
Morrison-Bell, Captain
Nicholson, Wm. G.(Petersfield)
Nolan, Joseph
O'Brien, Patrick (Kilkenny)
Oddy, John James
Parker,Sir Gilbert (Gravesend)
Pease,Herbert Pike (Darlingt'n
Percy, Earl
Phillips, John (Longford, S.)
Randles, Sir John Scurrah
Rawlinson,John Frederick Peel
Remnant, James Farquharson
Roberts,S. (Sheffield, Ecclesall)
Rothschild, Hn. Lionel Walter
Rutherford, W. W. (Liverpool)
Sassoon, Sir Edward Albert
Scott, Sir S. (Marylebone, W.)
Stanier, Beville
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.)
Talbot, Lord E. (Chichester)
Thomson,W.Mitchell- (Lanark)
Thornton, Percy M.
Tuke, Sir John Batty
Valentia, Viscount
Walker, Col. W. H. (Lancashire
Warde, Col. C. E. (Kent. Mid)
White, Patrick (Meath, North)
Willoughby de Eresby, Lord
Wortley, Rt. Hn. C. B. Stuart-
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE AYES—Mr. James Hope and Viscount Helmsley.

NOES.

Abraham, William (Rhondda)
Agnew, George William
Allen, Charles P. (Stroud)
Ashton, Thomas Gair
Asquith,Rt.Hn. Herbert Henry
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury,E.)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Beale, W. P.
Beauchamp, E.
Bell, Richard
Bellairs, Carlyon
Benn,W.(T'w'r Hamlets,S.Geo.
Bennett, E. N.
Bethell,Sir J.H.(Essex,Romf'd)
Bethell, T. R. (Essex, Maldon)
Birrell, Rt. Hon. Augustine
Black, Arthur W.
Boulton, A. C. F.
Brace, William
Bramsdon, T. A.
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brooke, Stopford
Brunner,J.F.L.(Lancs., Leigh)
Bryce, J. Annan
Buchanan, Thomas Ryburn
Burt, Rt. Hon. Thomas
Buxton,Rt.Hn. Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Channing, Sir Francis Allston
Cheetham, John Frederick
Clough, William
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Compton-Rickett, Sir J.
Corbett,C H (Sussex,E.Grinst'd
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J.(Tynemouth)
Crossley, William J.
Davies,M.Vaughan- (Cardigan)
Davies, Timothy (Fulham)
Dewar, Arthur (Edinburgh, S.)
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Duckworth, James
Duncan,C.(Barrow-in-Furness)
Duncan, J. H. (York, Otley)
Dunne,Major E.Martin(Walsall
Edwards, Enoch (Hanley
Erskine, David C.
Esslemont, George Birnie
Evans, Sir Samuel T.
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferguson, R. C. Munro
Fiennes, Hon. Eustace
Findlay, Alexander
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Glen-Coats,Sir T.(Renfrew,W.)
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Grant, Corrie
Greenwood, G. (Peterborough)
Gulland, John W.
Gurdon,Rt HnSir W. Brampton
Harcourt,Rt.Hn.L.(Rossendale
Harcourt, Robert V. (Montrose)
Hardie,J.Keir (Merthyr Tydvil
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r.)
Harmsworth,R.L.(Caithness-sh
Hart,Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey, W.E.(Derbyshire,N.E.
Haworth, Arthur A.
Hazel, Dr. A. E.
Hedges, A. Paget
Helme, Norval Watson
Henderson, Arthur (Durham
Henderson, J.M.(Aberdeen,W.)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon.,S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Holt, Richard Durning
Hooper, A. G.
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Jacoby, Sir James Alfred
Jardine, Sir J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones,Sir D.Brynmor(Swansea)
Jones, Leif (Appleby)
Jones,William (Carnarvonshire
Jowett, F. W.
Kearley, Sir Hudson E.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Leese,Sir JosephF.(Accrington
Lever, A. Levy(Essex,Harwich
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hn. David
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Macdonald, J. R. (Leicester)
Macdonald,J.M.(Falkirk B'ghs)
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacVeagh,Jeremiah (Down,S.)
M'Callum, John M.
M'Crae, Sir George
M'Laren, H. D. (Stafford, W.)
Mallet, Charles E.
Manfield, Harry (Northants)
Marnham, F. J.
Massie, J.
Masterman, C. F. G.
Menzies, Walter
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen
Morrell, Philip
Murray,Capt. Hn A.C.(Kincard
Nicholson,CharlesN.(Doncaster
Norton, Capt. Cecil William
Nuttall, Harry
O'Grady, J
Parker, James (Halifax)
Partington, Oswald
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Pearson, W.H.M. (Suffolk,Eye)

Perks, Sir Robert William
Philipps, Col. Ivor (S'thampton)
Philipps, Owen C. (Pembroke)
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Price, C.E. (Edinb'gh, Central)
Price, Sir Robert J. (Norfolk, E.)
Priestley, Arthur (Grantham)
Priestley, W.E.B. (Bradford, E)
Pullar, Sir Robert
Radford, G. H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Richards, Thomas (W. Monm'th)
Richards, T.F. (Wolverh'mpt'n)
Richardson, A.
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, Sir John H. (Denbighs.)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Schwann, C. Duncan (Hyde)
Schwann, Sir C.E. (Manchester)
Scott, A.H. (Ashton-under-Lyne
Sears, J. E.
Seddon, J.
Shaw, Rt. Hn. T. (Hawick, B.)
Sherwell, Arthur James
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Macknzie
Soares, Ernest J.
Spicer, Sir Albert
Stanley, Hn. A. Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Straus, B. S. (Mile End)
Summerbell, T.
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Tennant, Sir Edward (Salisbury
Tennant, H. J. (Berwickshire)
Thomas, Abel (Carmarthen, E.)
Thomas, Sir A. (Glamorgan, E.)
Thomasson, Franklin
Thorne, G. R. (Wolverhampton
Thorne, William (West Ham)
Toulmin, George
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Ward, W. Dudley (Southampton
Wardle, George J.
Wason, Rt. Hn. E (Clackmannan
Wason, John Cathcart (Orkney)
Wedgwood, Josiah C.
Whitbread, Howard
White, Sir George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
Whitley, John Henry (Halifax)
Whittaker, Rt Hn. Sir Thomas P.
Wiles, Thomas
Wilkie, Alexander
Williams, Llewelyn (Carmarth'n
Williamson, A.
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon

TELLERS FOR THE NOES—Mr. Joseph Pease and Master of Elibank.

Amendment proposed—

> "In page 14, line 14, after the word 'but,' to insert the words 'a justices' licence shall not be required for the grant of an excise licence to a wine dealer to enable him to sell wine by wholesale only, and.'"—(*The Solicitor-General.*)

Question proposed, "That those words be there inserted."

MR. JAMES HOPE asked whether the hon. and learned Solicitor-General was not rather dissatisfied with the ambiguity of the words "to enable." If they meant that the licensee was to give an undertaking not to sell by retail, had that not better be put in on the face of it before they got to the Report stage? As the Amendment stood there would be many different constructions of the words.

SIR S. EVANS did not think there was ambiguity, but he would certainly consider the matter, because when they were at one as to the object to be attained the question of words must be considered. Since the last discussion took place he had had an opportunity of consulting the authorities, and he would read the instructions issued by the Commissioners of Inland Revenue in 1905. First of all, the Instruction 621 dealt with the similar case of the sale of sweets either by wholesale or retail. It ran—

> "A person who has obtained a licence to deal in sweets may also retail sweets without taking out any further excise licence. In Great Britain he must obtain a justices' licence or certificate before he commences to retail, but in Ireland a certificate is not required."

Instruction 645, dealing with the wine licence, said—

> "A licensed dealer in foreign wine may sell such wine, or sweets, made wines, mead or metheglin, in any quantity, but only for consumption off the premises." "With the following exceptions a justices' licence or certificate is required in the case of every excise licence under which intoxicating liquor may be sold by retail, including the sale of wine under a wine dealer's licence." "Exceptions. It is not required: (1) In England for a licence taken out by a spirit dealer or a wine dealer for premises which are exclusively used for the sale of intoxicating liquors or intoxicating liquors and mineral waters or other non-intoxicating drinks, and which have no internal communication with the premises of any person carrying on any other trade or business."

He was advised that it was within the competence of the authorities at Somerset House to grant, on the principle of the greater including the less, a wholesale excise licence, and under that licence a wholesale dealer could carry on his trade without any justices' licence; but if he intended to or did sell by retail on the premises he would require a separate justices' licence also.

*MR. YOUNGER said the difficulty was that there was no form of licence to meet the case. Exactly the same difficulty arose in Scotland. The Paisley justices had granted, illegally, as it proved, six-day licences, because they could only grant a seven-days licence, and, in consequence, the people were prosecuted for refusing to serve travellers on Sunday and convicted. A licence was issued to the wine dealer which at present included the right to retail, but if he refused to sell by retail he might get into the same difficulty that the unfortunate people of Paisley did.

SIR S. EVANS said he was told there was no difficulty here.

MR. JAMES HOPE asked whether, when a man had got a wholesale wine licence, he could go on selling by retail. There did not seem to be anything to prevent him, whatever undertaking he might give, except his own conscience. The only consequence was that it would not be renewed at the end of the year, but he could go on for the year, in spite of all the justices could do to him.

MR. WYNDHAM thought the Solicitor-General must realise that he had not made this point clear to laymen. It was important that those who had not the benefit of legal experience should be informed of the nature of the laws they were making. Already the words of the Solicitor-General had been understood in different ways. He understood that at present a wholesale wine merchant got a licence from the justices which enabled him to sell by retail, and so far as he understood the Solicitor-General he intended that if a man had a licence which entitled him to sell both wholesale and retail, he would not require a justices' licence. But these words did not provide for any practical potentialities of what might occur if this Amendment was adopted. It might be held that a man having a wholesale licence who sold two or three bottles of wine was selling by retail. If that were the case, a great number of wholesale wine dealers would have off-licences, and in view of what had been vaguely foreshadowed as to what the Government meant to do on the Report stage, it was impossible for the Committee to imagine what the effect of this Amendment would be.

Mr. Younger.

SIR S. EVANS thought it was quite possible for the authorities of the Inland Revenue to grant a licence without the sanction of the justices, for the purpose of carrying on a wholesale business, and it was possible for them to append a footnote to that licence that it did not cover the retail sale of wine, unless there was also a justices' licence. In the book on the Excise Laws of Sir Nathaniel Highmore, the greatest authority, in Vol. II., page 6, it was stated—

> "By reason of Secton 5 of 25 & 26 Vict. c. 35., Part IV., a licence to a dealer in wine in Scotland does not confer any authority to sell wine by retail unless the holder thereof is in possession of a certificate from the justices under that Act authorising him to sell wine by retail."

He was informed by Sir Nathaniel Highmore himself that he had a distinct recollection that the note in his book followed the footnote which appeared at that time—1899—on the licence granted to a wine dealer in Scotland. His object was to protect the wine dealer, and if better words could be found he would consider them; but he was informed that a wine dealer's licence could be granted by the Inland Revenue authorities to a person desiring to sell wine by wholesale only with such a note, and would by that means be limited to sale by wholesale, and that any sale by retail under that licence would not only be a breach of the Act of 1902, if the person selling was a person required to obtain a justices' licence, but would also be a breach of Section 24 of the Revenue Act of 1889 as being a sale in contravention of the terms of the Excise licence.

MR. YOUNGER said he could give the case in point to which he had already referred. Under the old Scottish Act there was no such thing as a six-day licence for hotels. There were only seven-day licences, and when the justices granted a six-day licence they were told they had no right to do so, though they put a footnote on the licence to cover that objection. These licences only permitted sale on six days of the week—not on Sundays, except to people arriving at hotels. A man, a *bona fide* traveller, believing this to be illegal, demanded drink on a Sunday in Paisley, and was refused. The case came before a Scottish Court, and it was held that a six-day licence was invalid, and that the hotel-keeper had no business to refuse, and he was fined.

SIR S. EVANS did not think that was quite *per incuriam*, but if it should turn out that the Inland Revenue authorities had not the authority he would see that provisions were brought forward giving them that authority.

*MR. CAVE pointed out that the Prime Minister, in reply to a question by the hon. Member for Liverpool, had stated that there was no wine dealer's licence for sale by wholesale only. A justices' licence would, therefore, under the provisions of this clause be required, before an Excise licence to deal with wines could be obtained in view of the permission to engage in retail trade given by that licence. The spirit dealer's licence on the other hand covered wholesale trade only, and, therefore, did not come within the provisions of the clause. The hon. Member for Hampshire asked the Chancellor of the Exchequer whether he would consider the possibility of issuing a special ten guinea form of Excise licence applicable to the cases of wholesale wine dealers and shippers only for which it would not be necessary to apply for a justices' licence in addition. The Chancellor of the Exchequer said that a new form of licence such as that which was suggested could not be issued without fresh legislation. Was it not clear, therefore, that no such licence as was referred to in the Amendment could be legally issued? If that were so, now or on the Report stage was the time to supply this hiatus in the Act, and he hoped they would have a promise that the Government would reconsider the matter.

SIR S. EVANS: Certainly.

Amendment agreed to.

MR. W. R. REA (Scarborough) moved to leave out the words "at the commencement of this Act," and to insert the words "on the fifth day of April, nineteen hundred and eight." He explained that the Amendment was designed to stop a loop hole which had been overlooked by Government. The clause, while abolishing exemption, made a privileged class of present holders of these special licences. The words "commencement of this Act," however, enabled anyone desiring to evade the clause to apply now, and the Amendment to substitute 5th April ensured that only those holding licences for the present year should be placed in a position of special privilege.

Amendment proposed—

"In page 14, lines 15 and 16, to leave out the words 'at the commencement of this Act,' and to insert the words 'on the fifth day of April, nineteen hundred and eight.'"—(*Mr. W. R. Rea.*)

Question proposed, "That the words proposed to be left out, stand part of the clause."

SIR S. EVANS said he had an open mind on this Amendment. He did not think there was any such danger as that mentioned by his hon. friend. He thought they had taken the ordinary course in saying that the provision should date from the commencement of the Act. He did not know that there was any objection to the Amendment being put, but if there was it could be withdrawn.

MR. MITCHELL-THOMSON reminded the hon. and learned Gentleman that it was conceivable that there might be a case in which this privilege, which it was desired should be a continuing privilege, would not be easy to secure as the Bill stood. It was only to be given to one who held an Excise licence at the commencement of the Act and "holds it" at the time of the application. The application for the justices' licence was not to be treated then as an application for a new licence. The first Brewster Sessions after the passing of the Act would be in the February, and it might happen that the successors of a man who held one of these licences, and who died in January, wished to continue the business. It was inconceivable that it was the intention of the Government to exact from these people the monopoly value, because their predecessor had happened to die in the six weeks that intervened between the passing of the Act and the holding of the Brewster

Sessions. He was certain that that was not the intention of the Government, and therefore it was obviously necessary to fill up that gap in order to fulfil the intentions the Government had in bringing up this clause.

Mr. SHERWELL (Huddersfield) thought the hon. Member who had just sat down had not quite seen the point. The licence in question was an Excise licence. and might be called for at any time.

Mr. MITCHELL-THOMSON said his point was that the two conditions necessary for an excepted licence were that the licence was held at the date of the commencement of the Act, and at the date of the application. He put the case of a licence, held by a man at the date of the commencement of the Act, but who had died, and which was held by his successor at the date of the application.

Mr. SHERWELL expressed his regret at having misunderstod the hon. Gentleman. Obviously there was a loophole in the clause there as it now stood. He thought the Government should fix a date with regard to that. It was a matter of indifference what the date was.

Mr. CAVE thought by this Amendment an injustice would be thrust upon the people who had taken out these licences since last April.

Mr. LEIF JONES (Westmoreland, Appleby) suggested that it should be a past and not a future date, say, 1st November. His point was that the Government should not give notice of the advantage conferred upon these holders, otherwise a number of people would take up these licences in order to obtain the advantages which the clause would confer upon them.

Mr. YOUNGER said that the people who held these licences had really had notice since last February, and if they wished to take advantage as suggested they would have done so long ago. It did not matter whether the date was a past or future date.

*Mr. GRETTON said the real difficulty was that there was a hiatus in the Bill owing to the fact that it would come into force in its present form on 1st January and the Brewster Sessions would not be held until a day in February. A dealer in wines and spirits might have an Excise licence, but he could not obtain a justices' licence unless he had an Excise licence now, because the Bill said he must hold such a licence at the commencement of the Act. A wine merchant would, therefore, have to carry on his business illegally for some weeks after the 1st January until he could obtain a justices' licence as required by the Bill. Also, the holder of the licence might die in the interval between the 1st January and the date of Brewster Sessions. In that case his successor or partner could not obtain a justices' licence, because the Bill said he must have held a licence at the commencement of this Act. There were many of these wine merchants' businesses being carried on, and some of them were old-established concerns under the control of elderly men. If such a holder died his successors would have to apply for a new licence and to pay the monopoly value because of the death of the former proprietor. He thought it was the intention of the Government that the wine merchant should not pay the monopoly value even at the end of the term laid down for the other licences; therefore he urged upon them that this was a very important omission, which, if not dealt with, would add greatly to the complexity of the subject.

Mr. LYTTELTON said he had listened to the speeches made by his hon. friend upon this point, and it seemed to him that an answer was required. It was the business of those responsible for Acts of Parliament at all events to see that those Acts were coherent. If he understood the law rightly the owner of a licence such as this, which on the face of it gave him the power, had a right to trade either by wholesale or retail. He was now to be prevented from trading by retail unless he had a justices' licence. That was one incoherence, and it was to be succeeded by another, viz., that between 1st January and the holding of the Brewster Sessions he could not trade at all.

SIR S. EVANS said the first two conditions referred to the Excise licence and not to the justices' licence. The holder of an Excise licence must have held it at the commencement of the Act and must hold it at the time of his application for the justices' licence. He saw no difficulty at all in the matter. If he wanted while he had the licence, to have the rights attaching to it, the holder must apply for the justices' licence. But it was only if he held the licence on those two dates that he would have the right to go to the justices and apply for a licence.

MR. JAMES HOPE thought the Solicitor-General might accept some such words as "who or whose predecessor is entitled." The right hon. Gentleman had not covered the case of that of an old gentleman who might, as not infrequently happened after the festivities of the season, die early in the year. It would be rather hard lines if because of the death of the holder of the licence before the date of application to Brewster Sessions —which was the first possible date for the application to be made—his successors should be mulcted.

*THE CHAIRMAN said this point could be raised on another Amendment. An Amendment had been handed to him on which this particular point could be more naturally raised.

Amendment negatived.

MR. MITCHELL-THOMSON thought the point which the Committee had just been discussing might be met if the hon. and learned Gentleman would consent to the insertion of the words "whether by himself or his successors." It was a form of words, he believed, known to the law, certainly of Scotland if not of England. He begged to move.

Amendment proposed—

"In page 14, line 16, after the word 'Act,' to insert the words 'whether by himself or his successors.'"—(*Mr. Mitchell-Thomson.*)

Question proposed, "That those words be there inserted."

SIR S. EVANS did not think the words were very apt. He did not know whether the hon. Gentleman meant to confine those words to predecessors in title.

MR. MITCHELL-THOMSON: Yes.

SIR S. EVANS said it was just possible that a man might die between 1st January and the date of the Brewster Sessions, and that his successors might desire to have some rights under this section. If the hon. Gentleman stopped there he might put in some words to meet that case. If it was the case of the representative of a person who died between those two dates, then in that particular case, in order to allay the apprehensions of the hon. Member opposite who apparently thought so badly of the Christmas season and the possible effect of the coming of this Act into operation, he would promise to consider the matter before the Report stage.

MR. CAVE suggested that his hon. friend, after the assurance given by the Solicitor-General, should withdraw the Amendment.

MR. MITCHELL-THOMSON said he had no objection, after what had been said by the hon. and learned Gentleman, to withdraw his Amendment.

Amendment, by leave, withdrawn.

Question proposed, "That the clause, as amended, stand part of the Bill."

VISCOUNT HELMSLEY (Yorkshire, N.R., Thirsk) said they ought to have some explanation from the Government why they considered the clause necessary. He disagreed with the Solicitor-General when he said that they were all at one. He thought there was a larger difference of opinion than the hon. and learned Gentleman seemed to think. No one knew whether it was the intention of the Government to make an ordinary wine dealer, whether in town or country, take out a justices' licence if he sold by retail. If that was the intention, there was a wide divergence of opinion between the Government and some of them on that side of the House. He could not understand why the clause should be held necessary. It was not held necessary when the Act of 1902 was passed; and he thought the Committee was entitled to know why the Government considered it necessary now to make a wine dealer take out a justices' licence. It was not as if it were alleged that disorder and drunkenness arose from the conduct of a wine merchant's business. It seemed to him that the clause would inflict a great grievance on a very respectable body of men. In view of the Amendment made to Clause 3, to include "off" licences, the matter became one of considerable importance. He was aware that Amendments were to be moved on Report, but they did not know what they were or whether "off" licences were to be included or not. If they were included, then Clause 21 became of very great importance indeed, and he certainly thought they ought to have an explanation from the Government as to the grounds of their policy.

*Mr. G. D. FABER said after the many days that he had sat through the licensing debates listening to the Government's expositions of the clauses, he could not help becoming suspicious of each one in the Bill. He could not help feeling that somewhere at the bottom of this clause there was a desire to drive the wine merchant to take out a retail licence, which necessitated a justices' licence, with the inevitable result that at the end of the reduction period he would come within monopoly value. The wine merchant would find himself on the horns of a dilemma. They were going to dislocate his present mode of carrying on his business. He would no longer be able to sell wines or spirits in small quantities without taking out a justices' licence. If he did not take out a justices' licence, his business would materially suffer. If he did, then at the end of the reduction period his justices' licence would be a new licence and come within all the provisions respecting monopoly value. That was an unfair predicament in which to put him. He should have thought that the Government would have been slow to interfere with the conduct of the ordinary wine merchant's business. There could be no moral reason for doing so. The greatest advocate of temperance could not say that drunkenness or intemperance proceeded from the wine merchant's business. They must, therefore, search for some other reason, and the reason could be no other than the pecuniary benefit which the Government anticipated they would receive when at the end of the reduction period the wine merchant was mulcted in monopoly value. The clause was a needless and wanton interference with trade. It was not based on any desire to promote sobriety. It was simply in their greedy desire to snatch the monopoly value, that the Government included the wine merchant in the meshes of their net. He hoped the Opposition would divide against the clause.

Mr. LANE-FOX (Yorkshire, W.R., Barkston Ash) wished to press upon the Government the point made by the hon. Member for York, as regarded this interference with the trade of wine merchants. To his mind one of the chief causes of intemperance in this country was the extraordinary nastiness of temperance drinks. If hon. Gentlemen opposite, instead of bringing forward bad Bills, would suggest some really good appetising temperance drink, they would do more for the cause of temperance than anything else they could possibly do. Obviously people could not go on perpetually drinking warm water and other nasty temperance concoctions when, if they could afford it, they could obtain small bottles of light wine. These were the people whom temperance advocates should encourage, yet it was this very class who were being discouraged by this legislation. The clause would do a great deal of harm to the cause of temperance, and as far as he could see, with no possible object, unless it was the desire to take somebody else's money.

Mr. WYNDHAM said he should certainly vote against the clause which combined in a particularly flagrant degree the main phases of the whole of this legislation, which mixed temperance principle with eccentric finance. The whole object of taxation was to get money with as little discomfort and inconvenience as possible to that portion of the community which provided the money. But the financial provisions of this Bill were drawn up so as to impose the maximum amount of discomfort and inconvenience on the persons who provided the money. The cause of temperance was not served by such a clause as this. The result, when the clause matured at the end of the period, would be to make wine merchants sell heady and bad wines instead of light and pure wines; in the view of the Opposition at any rate, it would tend to put the wine trade of the country under such conditions as he had described. He thought the operation of the clause would be to force those who enjoyed such privileges as were afforded, to make as much money as they could in the shortest possible period. The Government seemed to have forgotten that it was once the policy of the great Liberal Party to encourage temperance by a wise mixture of temperance legislation with financial legislation. They deliberately moved the heavy duties off light wines. The "Gladstone claret" was one of the emblems embroidered on their flag, and he believed that they had exercised some influence on the taste of the wine drinking public by legislation of that character. Legislation of the character now proposed would also exercise an influence on the taste of the wine-drinking public, but it would be a bad instead of a good influence.

VISCOUNT HELMSLEY thought the Government should give some reason in support of the clause. He would point out, in addition to what he had already said, that if at the end of the period the wine merchants were forced to pay monopoly value, then the sum they might have to pay would be very large indeed, because there might be a difference between the value of the premises with a licence under Schedule A., and their value without a licence, owing to the fact that the premises, consisting so largely of cellar accommodation, would be absolutely without a licence; therefore, a very big financial consideration might be involved. He hoped the Solicitor-General would give them some answer.

SIR S. EVANS said he was sorry that he was unable to add anything to what he had already said, except, perhaps, that the noble Lord was wrong in saying that the object of this clause was that the Government might attach the monopoly value, whatever it might be, of the licence twenty-one years hence. That that was not the object of the clause was obvious from the fact that the clause was as it was originally presented, before they made the Amendment to Clause 3, which included the off-licence. The object of the clause was to bring within the jurisdiction of the justices all premises where intoxicating liquors were sold by retail. It had been found that where the justices refused a licence to sell intoxicating liquor by retail on the ground of the premises communicating with other parts of the premises where other business was carried on, grocers and merchants took small premises which did not communicate with other premises where a business was carried on and thereby brought themselves within the mischief against which they were providing.

MR. RAWLINSON (Cambridge University) said he quite accepted the hon. and learned Gentleman's assurance, but he ought to put it in the Bill. When the Government started this idea they had no intention of taking this very large monopoly value from wine merchants. The effect of the Bill as it now was was to take this tremendous sum from wine merchants at the end of fourteen years.

SIR S. EVANS: Not on a wholesale business.

MR. RAWLINSON said that if a wine merchant had a retail business he would have to pay monopoly value, and he might assume that the bulk of them had retail businesses. Although he agreed thoroughly with the Solicitor-General in bringing these licences under the control of the local magistrates, he equally agreed with the original intention of the Government, namely, that they did not mean to bring them within the purview of payment of monopoly value. It was obvious justice that if the clause was to be carried in this way there should be some assurance from the Government that they would exempt wine merchants from the liability to pay monopoly value at the end of fourteen years. They had the assurance of the Solicitor-General that the Government never had the slightest intention when they brought the clause in of exacting monopoly value. It was not too much to say they never had any idea that by amending Clause 3 they would let in this very large amount of monopoly value from retail wine merchants. He urged them to put in words to exempt retail licences from the effect of the monopoly value provisions. If they did not he should certainly vote against the clause. If it was done he should vote in favour of the clause.

MR. YOUNGER said that perhaps they could get an answer from the Prime Minister to the question—what was the monopoly value of the retail portion of a wholesale wine merchant's business? They had, of course, on the Amendment Paper, the Government definition of the monopoly value of any ordinary on-licence, but it would be interesting to know whether that definition was supposed or intended by the Prime Minister to apply to the monopoly value in cases where small quantities of champagne or liqueur might be sold under a retail licence by the largest wine merchants in Pall Mall.

*THE CHAIRMAN: The hon. Member is asking a question. If he makes out that his vote on the clause depends on the answer he is in order, but it is not the time to ask questions now of the general kind that he is doing unless he can tell me that his vote depends on the answer.

MR. YOUNGER said it had every bearing on his vote. He entirely objected to the monopoly value being charged at all in this case and therefore he should vote against the clause. But when this monopoly value was for the first time brought in in this connection they ought to know what the Government regarded as the monopoly value and how they arrived at it.

Question put.

The Committee divided:—Ayes, 255; Noes, 110. (Division List No. 319.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Agnew, George William
Alden, Percy
Allen, Charles P. (Stroud)
Ashton, Thomas Gair
Asquith, Rt.Hn.Herbert Henry
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury,E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Sir John E. (Somerset)
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Beauchamp, E.
Bell, Richard
Bellairs, Carlyon
Benn,W.(T'w'r Hamlets,S.Geo)
Bethell,Sir J H.(Essex,Romf'rd
Bethell, T. R. (Essex, Maldon)
Birrell, Rt. Hon. Augustine
Black, Arthur W.
Boulton, A. C. F.
Brace, William
Bramsdon, T. A.
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brooke, Stopford
Brunner, J. F. L.(Lancs.,Leigh)
Bryce, J. Annan
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Buxton, Rt.Hn.Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Channing, Sir Francis Allston
Cheetham, John Frederick
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Corbett,C H (Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crossley, William J.
Davies,David (Montgomery Co.
Davies, Timothy (Fulham)
Dewar, Arthur (Edinburgh, S.)
Dickinson, W.H.(St.Pancras,N.
Dickson-Poynder, Sir John P.
Duckworth, James
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne,Major E.Martin(Walsall
Edwards, Enoch (Hanley)
Edwards, Sir Francis (Radnor)
Erskine, David C.
Evans, Sir Samuel T.
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Findlay, Alexander
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Glen-Coats, Sir T.(Renfrew,W.)
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Grant, Corrie
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Griffith, Ellis J.
Gulland, John W.
Gurdon,Rt Hn.SirW.Brampton
Harcourt,Rt.Hn.L.(Rossendale
Harcourt, Robert V.(Montrose)
Hardie, J.Keir (Merthyr Tydvil
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r.)
Harmsworth,R L.(Caithn'ss-sh)
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey, W.E.(Derbyshire,N.E.
Haworth, Arthur A.
Hazel, Dr. A. E.
Helme, Norval Watson
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon.,S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp

Hobart, Sir Robert
Hodge, John
Holland, Sir William Henry
Holt, Richard Durning
Hooper, A. G.
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Jacoby, Sir James Alfred
Jardine, Sir J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Sir D. Brynmor (Swansea)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Kearley, Sir Hudson E.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Leese, Sir Joseph T. (Accrington
Lever, A. Levy (Essex, Harwich
Levy, Sir Maurice
Lewis, John Herbert
Lough, Rt. Hon. Thomas
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk B'ghs
Maclean, Donald
MacVeagh, Jeremiah (Down, S.)
M'Callum, John M.
M'Crae, Sir George
M'Laren, H. D. (Stafford, W.)
Mallet, Charles E.
Manfield, Harry (Northants)
Marks, G. Croydon (Launceston)
Marnham, F. J.
Massie, J.
Masterman, C. F. G.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morton, Alpheus Cleophas
Murray, Capt. Hn A. C. (Kincard.
Napier, T. B.
Nicholson, Charles N. (Doncaster
Norton, Capt. Cecil William
Nuttall, Harry
O'Grady, J.
Parker, James (Halifax)
Partington, Oswald
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Pearson, W. H. M. (Suffolk, Eye)
Perks, Sir Robert William
Philipps, Col. Ivor (S'thampton)
Philipps, Owen C. (Pembroke)
Phillips, John (Longford, S.)
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Price, C. E. (Edinb'gh, Central)
Price, Sir Robert J. (Norfolk, E.)
Priestley, W. E. B. (Bradford, E.)
Pullar, Sir Robert
Radford, G. H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, William (Clare)
Richards, Thomas (W. Monm'th
Richards, T. F. (Wolverh'mpt'n
Richardson, A.
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson, Sir G. Scott (Bradf'rd
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rogers, F. E. Newman
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann, Sir C. E. (Manchester)
Scott, A H. Ashton-under-Lyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Shaw, Charles Edw. (Stafford)
Shaw, Rt. Hon. T. (Hawick B.)
Sherwell, Arthur James
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Soares, Ernest J.
Spicer, Sir Albert
Stanley, Albert (Staffs, N. W.)
Stanley, Hn. A. Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Summerbell, T.
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Tennant, Sir Edward (Salisbury
Tennant, H. J. (Berwickshire)
Thomas, Able (Carmarthen, E.)
Thomas, Sir A. (Glamorgan, E.)
Thomasson, Franklin
Thorne, G. R. (Wolverhampton
Torrance, Sir A. M.
Toulmin, George
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Walton, Joseph
Ward, W. Dudley (Southampt'n
Wardle, George J.
Wason, Rt. Hn. E (Clackmannan
Wason, John Cathcart (Orkney)
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker, Rt Hn. Sir Thomas P
Wiles, Thomas
Wilkie, Alexander
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Arnold-Forster, Rt. Hn. Hugh O.
Aubrey-Fletcher, Rt. Hn. Sir H.
Balfour, Rt Hn. A. J. (City Lond.)
Banbury, Sir Frederick George
Baring, Capt. Hn. G (Winchester
Barrie, H. T. (Londonderry, N.)
Beach, Hn. Michael Hugh Hicks
Beckett, Hon. Gervase
Bertram, Julius
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Butcher, Samuel Henry
Campbell, Rt. Hon. J. H. M.
Carlile, E. Hildred
Castlereagh, Viscount
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Chamberlain, Rt Hn. J. A. (Worc.
Clark, George Smith
Clive, Percy Archer
Collings, Rt. Hn. J. (Birmingh'm
Courthope, G. Loyd
Craig, Charles Curtis (Antrim, S.
Cross, Alexander
Dixon-Hartland, Sir Fred Dixon
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Duncan, Robert (Lanark, Govan
Faber, George Denison (York)
Faber, Capt. W. V. (Hants, W.
Fardell, Sir T. George
Fell, Arthur
Fletcher, J. S.
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Goulding, Edward Alfred
Gretton, John
Guinness, Hon. R. (Haggerston)
Guinness, W. E. (Bury S. Edm.)
Hardy, Laurence (Kent, Ashf'rd
Harris, Frederick Leverton
Harrison-Broadley, H. B.
Hay, Hon. Claude George
Heaton, John Henniker
Helmsley, Viscount
Hill, Sir Clement

Hills, J. W.
Hope, James Fitzalan (Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Joynson-Hicks, William
Kimber, Sir Henry
King, Sir Henry Seymour (Hull)
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Lee, Arthur H. (Hants, Fareham)
Lockwood, Rt. Hn. Lt.-Col. A. R.
Long, Col. Charles W. (Evesham)
Long, Rt. Hn. Walter (Dublin, S.
Lonsdale, John Brownlee
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
MacCaw, William J. MacGeagh
M'Arthur, Charles
Marks, H. H. (Kent)
Mason, James F. (Windsor)
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
Oddy, John James
Parkes, Ebenezer
Pease, Herbert Pike (Darlington)
Percy, Earl
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Roberts, S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Rothschild, Hon. Lionel Walter
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Sassoon, Sir Edward Albert
Scott, Sir S. (Marylebone, W.)
Smith, Hon. W. F. D. (Strand)
Stanier, Beville
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Thomson, W. Mitchell- (Lanark)
Thornton, Percy M.
Tuke, Sir John Batty
Walker, Col. W. H. (Lancashire)
Walrond, Hon. Lionel
Warde, Col. C. E. (Kent, Mid)
White, Patrick (Meath, North)
Willoughby de Eresby, Lord
Wilson, A. Stanley (York, E.R.)
Winterton, Earl
Wortley, Rt. Hon. C. B. Stuart-
Wyndham, Rt. Hon. George
Young, Samuel

TELLERS FOR THE NOES—Sir Alexander-Acland-Hood and Viscount Valentia.

Clause 22:

Motion made, and Question proposed, "That the clause stand part of the Bill."

*MR. CAVE desired to protest against the abolition of the power to remove a licence from one house to another, which had been extremely useful in distributing licences more evenly. When a licence was no longer required in a particular district the section it was now proposed to repeal (Section 50 of the Licensing Act of 1872) enabled the justices to sanction the removal of that licence to a part where the population had grown, and so to meet the general convenience without increasing the drinking facilities of the district. The removals were not very numerous, and amounted to only about fifty or sixty last year. He was at a loss to understand why it was proposed that this section should be repealed. If it interfered with the operation of the scale under Clause 1 he could understand it, but that difficulty could be easily overcome by the acceptance of the Amendment standing in the name of the hon. Member for Buckinghamshire, which provided that the justices should not sanction the removal of a licence to a new district if the effect would be to bring the number above the statutory number in that area. The object of the Government seemed to be that nobody should be allowed to set up a house in a fresh position without paying monopoly value for the privilege. The plan adopted seemed to be to get as much as they could out of the owner even at the expense of inconveniencing the administration of the licensing laws. The only result of this would be that new licences would be granted in districts where they were required and the old licences, which might have been removed, would remain where they were not required. It was a mistake to repeal a provision which had been so useful, and some cause ought to be shown for the decision of the Government to put an end to a provision against which no complaint had been made so far as he knew.

*MR. BARNARD (Kidderminster) totally disagreed with the hon. and learned Member who had just spoken. It appeared to him that there was no necessity for this clause in the Bill at all. A great many removals had taken place which had been enormously to the advantage of the new licensees. As to the future, if the scheme of the Bill stood with monopoly value and the rest of it, it could not matter in the slightest degree, for if one licence went monopoly value would be taken into account and the exchange would in no way in practice touch the question which the hon. Member had raised. The scheme of the Bill provided that there should be a certain number of licences in a certain area. Did the hon. and learned Member mean that they were to exchange licences from one district into another or was the operation to be confined to the same district? Section 50 of the Act of 1872 was of no consequence whatever, and no principle was involved by its repeal. There was no necessity to waste time in discussing the clause at all.

SIR S. EVANS said it would be convenient at this point to give the reasons why the Government adhered to the clause as it stood. The history of the removal of licences from one set of premises to another was rather peculiar. There was, under the Act of 1828, a limited right of removal; it was introduced merely as a temporary expedient in the Act of 1871, which was called the Licences Suspension Act, when it was intended to deal with the licensing question in the following session. The Act of 1871 recited that it was expedient to restrict the issue of new licences and certificates until the legislature had further dealt with the question. Provision for the removal of licences was introduced for the first time in the Act of 1871 for a temporary purpose. The justices might refuse the removal, and there was no appeal against it. That removal provision was continued in Lord Aberdare's Act, and the question now was whether that power of removal should be continued. They were now only dealing with Section 50 of the Act of 1872. The power of removal of a restricted character under the Act of 1828 referred amongst others to cases where premises were swept away by a storm or where the premises were taken for a public purpose. In such cases removal was obviously right, because if a man lost his house under such circumstances it was obviously right that he should be allowed to have another house somewhere else. This also applied to cases where a house was destroyed by fire or in some other way rendered unfit for the reception of travellers. Whatever powers of removal were given under that Act they did not touch by the repeal of this provision, because they were now only putting an end to the power of removal under Section 50 of the Act of 1872. He submitted that it was right to prevent such removals. Under Section 50 a removal could be ordered by the justices from one part of a county to another. The removal might take place from the eastern corner to the western corner of a county without any relation whatever between the two areas affected. The hon. and learned Member for Kingston had referred to the advisability of allowing justices to retain this power of removal. He contended that licences which became unnecessary in one district ought to be done away with, and if another licence became necessary in another district the demand should be met by granting a new licence. He would mention a case of possible hardship to licensed victuallers. Suppose a man held a licence some miles away from a rapidly increasing population in an industrial centre, and a licence had been granted to holder A. who had paid the monopoly value. If another licence became necessary in that district would it be right to allow the justices to say to holder B. in an area miles away: "If you will shut up your small public-house we will give you the right to remove your licence into the same district as licence-holder A."

MR. YOUNGER said two or three licences would be wanted in that case.

SIR S. EVANS said that in the illustration he had given they would be making the house in the industrial centre subject to monopoly value and adding another which would not be subject to monopoly value at all. Even if such premises were very near each other it was obvious that the character of the premises might be totally changed, and it was perfectly right under the circumstances to require that the new premises should be subject to monopoly value. The hon. and learned Member for Kingston said he was at a loss to understand why they had put in this clause unless it was to get as much as possible at the expense of inconvenience to the administration of the licensing laws; but that was not so. When a licence was removed to another area it became in fact a new licence, and therefore they were entitled to seize the monopoly value. He did not often cite the opinion of bishops, but he would do so in this case. He did not know whether the hon. and learned Member was aware that it was proposed in the House of Lords when the Act of 1904 was under discussion to incorporate something of this kind. That Act was quite silent as to this power of removal, but there was an Amendment moved by Lord Salisbury which sought to give express power to remove a licence from one set of premises to another. That Amendment was withdrawn, and at a subsequent stage of the Bill an Amendment in a contrary direction was moved and was also withdrawn. Both Amendments being withdrawn, the matter was left *sub silentio*, so far as Parliamentary provision was concerned. In the discussion of one of the Amendments on 5th August, 1904, the Archbishop of Canterbury said—

> "The noble Marquess treated it as a small matter, but it appeared to him one of the gravest changes they could introduce in the Bill. If the interpretation he (the most rev. Primate) put upon this Amendment were true, it would practically mean that no one who could help it would apply for a new licence, but everybody would apply for a 'removal,' for the reason that he could thus escape the new obligations imposed by Clause 4 on new licences. Their Lordships would remember that there were two quite different Acts relating to such 'transfers' or 'removals.' There was, first, the Act of 1828, under which the cases on which a removal could be justified were such things as the burning down of a house, and under that Act the 'removal' could only take place within the same licensing district. But there was absolutely no restriction under the Act of 1872 as to the grounds on which the renewal might be sanctioned, and it might be a removal to any other part of the country—that was to say, those who held a great many licences, instead of asking for a new licence, which would be placed under the severer conditions now imposed, would ask for the transfer by removal, which would give them all the opportunities of escaping the obligations they had heard so much of under Clause 4. If that were so, the change might be good or bad (he, himself, thought it was exceedingly bad), but at all events it was a very great thing to do, and it seemed to him to take away the merits they had heard so much belauded under Clause 4."

MR. CAVE: That was said on an Amendment to extend the power.

SIR S. EVANS: No, no. I will read the Amendment. It was as follows—

> "In Clause 4, page 3, line 40, after the word 'licence,' to insert the words 'or of an order sanctioning the transfer or removal of a licence under Section 50 of the Licensing Act, 1872."

The speech of the Archbishop of Canterbury was directed entirely against the omission of the clause which the hon. and learned Gentleman wished to omit in a subsequent stage. Speaking on 8th August, 1904, the Archbishop of Canterbury said—

> ". . . after this Bill passed there would be the greatest possible inducement to the owners of public-houses to try by any scheme they possibly could to escape the conditions which, under Clause 4, attached to new licences granted after the passing of the Act. Under that clause new licences were to be subject to a charge for monopoly value, but that condition would not apply to a transfer. He earnestly hoped that the House would obtain from the Government some promise that they would not be deprived in this way of what they had hoped had been gained in Clause 4."

On the same day the Bishop of London also took part in the debate. In giving an illustrative case he said—

> "If a licence which was being given up in, say, Bethnal Green, because the house was unprofitable, was allowed to be transferred, say, to the large and rising district of Clayton, that licence would be subject to none of the conditions which would attach to a new licence; and if at a subsequent period the house in Clayton was shut up, it would be compensated for at a value very considerably higher than if the compensation money had been granted in respect of the house in Bethnal Green. It was monstrously unfair that a man should be able to take a valueless licence and put it down in prosperous district, and then not be subject to the conditions attaching to a new licence."

The hon. and learned Gentleman opposite had said that the effect of doing away with this provision would be that they would get undesirable houses existing in some places, whereas they would be shut up if the licences could be removed elsewhere. He agreed, if he might respectfully say so, with the Bishop of London, who said that it would be monstrously unfair to allow removals of that kind from one district to another, thereby relieving the persons who got licences in new districts from the obligations imposed by the Act of 1904.

*MR. BARNARD: Would not the licences come under Clause 2 of the present Bill?

SIR EDWARD SASSOON (Hythe) said the Solicitor-General had read quotations from speeches of the Archbishop of Canterbury and the Bishop of London, evidently with great satisfaction to himself, in order to justify the repeal of this recent provision. The quotations were from people whom the hon. and learned Gentleman was seriously thinking of disestablishing next year.

He thought the hon. Member for Kidderminster entirely misconceived the scope of the intention of those who desired to omit Clause 22. Under Section 50 of the Licensing Act of 1872 arrangements might be come to between the licensing justices and the brewers in cases where new and populous districts had come into being to transfer or remove an old licence from an over-licensed area to a new district where the requirement for a licence was very much felt. He would point out that when they spoke of an over-licensed area they did not mean that the licences were in excess of the statutory requirements under the Bill; they referred to the comparative requirements of the new district to which the licences might be removed with great advantage. These removals, if effected, would give a far better distribution without any draft on the compensation fund. In the earlier portion of the arguments which the Solicitor-General used yesterday he clearly pointed to the fact that the motive which animated the Government in repealing Section 50 of the Act of 1872 was more to extort the monopoly value from a new district than to consult the general convenience of the district. He thought there was a spirit of vindictiveness throughout the Bill. Evidently the whole measure was honeycombed with the desire to make the position of the licence-holder as hard and difficult in carrying on his business as it was possible to make it. He feared very much that the sincere and genuine desire which the Government had to bring about a great temperance reform would be to a great extent defeated by those harassing and objectionable restrictions they wished to place on licence-holders. The result would be that instead of having a respectable body of licence-holders to carry on the liquor trade of the country the business would fall into bad hands and the general community would, consequently, suffer. He appealed to the Government to accept the Amendment.

MR. STUART WORTLEY (Sheffield, Hallam) said there was one distinction between the Government of the present day and those right reverend minds who saw many dangers in the path in 1904. The Archbishops and bishops were seeking temperance in that year; the Government were now seeking money, and so far as he could see they were not seeking temperance at all. After all, actions were judged by their probable effects. Humble persons were so judged and the Government were going to be judged by that ordinary test. The foundation for cutting out this part of the law was that the licensing justices in whom such confidence was placed were going to be so green as not to see through a general conspiracy on the part of licensees to obtain by removal that for which they would otherwise have to pay the monopoly value as if it was a new licence. He did not suppose the Government imagined anything of the kind was likely to take place. Although magistrates were not likely to be taken in in this way, there might be a case where removal was the only thing to be done. The only result of the passing of this would be that the removal would not be applied for; the old bad house would be left in the old bad place and they would not get the public convenience which the legislature saw in 1872 would undoubtedly be gained to the public by the exercise of this power.

*MR. CLAVELL SALTER (Hants, Basingstoke) said the question before the Committee was whether the licensing justices were to be deprived of the discretion which they had exercised for thirty-six years in permitting the removal of licences in cases where it seemed to them proper to do so in the public interest. It appeared to him that it was not a very profitable use of the time of the Committee for the Solicitor-General to give a history of the clause in the Act of 1872 in the hope of showing that it was originally temporary in its nature. It was enacted as a permanent provision of the law, and it had worked well for thirty-six years. The justices had no power to remove a licence if any objection was raised in the quarter from which it was to be removed and if they refused removal there was no appeal. He ventured to submit to the Committee that this was not a question of the number of licensed houses at all. Apart from the number altogether he believed that it was a good and desirable thing in the interests of temperance and order that there should be power to remove a licence from a district where it was not required to a district where it was required, from premises which were unsuited for the purposes of the trade to premises which were well suited, well found and convenient. Was it not quite obvious that that useful process would be stopped if this power were taken away from the justices? It stood to reason that if a person desired to transfer from premises (*a*) to premises (*b*) he would not apply under the law as it would stand if this clause remained. And for this reason, if he applied for removal to a district where the existing licences exceeded the statutory ratio it would be idle, because no new licences were to be granted. But even if that were not the case, he would know that the monopoly value he would have to pay for the new licence would vastly exceed any compensation he would get for the old one. The result would be that a great number of ill-found houses would remain. References had been made to ecclesiastical dignitaries and their sayings in another place. They knew that there were authorities who could quote Scripture when it suited their purpose. But if the argument which the hon. and learned Gentleman had quoted—he thought from the Bishop of London—was a sample of the argument he would use in another place hereafter when the Solicitor-General reached it, he would find himself in very poor argumentative company. The Bishop said that a man might get the transfer of a valueless licence in one place to a valuable licence in another. The answer to that was that the licensing justices had a discretion and they were not fools; they would safeguard the public interest. In a recent case the Lord Chief Justice observed that not merely had the licensing justices a discretion to refuse renewal on the ground of the loss of the monopoly value, but it was their business to take into account when considering whether the removal was desirable or not, whether or not they would be giving a valuable property without exacting compensation which ought to be given for it. The only question for the Committee was whether the licensing justices were or were not to be deprived of their discretion to permit a removal on proper cause shown.

MR. WYNDHAM said it was very difficult to trace any connection between the attitude of the Government towards one clause and another. But their memories did go back more than twenty-four hours. Yesterday the Committee were asked to believe that the licensing justices and they only were competent to decide rather minute questions of the internal economy and arrangements of a public-house; but it was well-known that the discretion of the justices in such matters had not met with universal approval throughout the country. To-day they were asked to decide that the only competent men to settle these small points were totally incompetent to come to a right decision as to the places where public-houses should be opened. That was the only practical result which would follow from the Government insisting on repealing Clause 50 of the Act of 1872. They might hold out to those who sat behind them the glittering bait that the monopoly money was going to be poured into an exhausted exchequer, but did anybody suppose that a licence-holder could enjoy such a concession as the Government had made to the licence-holders unless he were compensated for the old licence? It had been amply demonstrated in the course of these debates that such a man would stay where he was rather than remove, although the removal might be for the convenience of the public and the justices might desire such removal. The result would be to keep a public-house where it was not wanted and might do harm, and prevent it being removed to a place where it was wanted and where it would do no harm.

SIR GEORGE WHITE (Norfolk, N.W.) said he was about to make precisely the same remark as the right hon. Gentleman the Member for Dover had made as to the ability of the licensing justices, but from an entirely different point of view. However, he felt that this was a question in which they might be guided by experience. Licensing justices very often had the bait put before them of the surrender of two or three licences in order that a licence might be granted in another neighbourhood. From his own experience he was bound to say that this bait sometimes succeeded. He would not say that the licensing justices were fools, to use the impolite expression of the hon. Gentleman opposite, but he was afraid that they did not always bring their average commonsense to bear when this question of the removal of licences was before them. There was only one principle which applied in such cases, viz.: Was the licence required, or was it not? If it was not, then it should not be removed. Again, did the place suggested for the transfer require the licence or not? If it did the licence should be granted. In his opinion it was rather an immoral transaction for justices to accept the pledge of the surrender of two or three licences in order that a licence might be granted in another neighbourhood. The hon. Member opposite said that the transfer would occur without any increase in drinking, but the hon. Member should remember that this was purely a trade business. The removal was not done for philanthropic purposes but because the man imagined that he would do a great deal more trade in the new premises. Certainly he would not ask for a transfer of the licence if he did not believe that it would lead to an increase of drinking. He had been somewhat surprised at the cheers with which hon. Gentlemen received the quotations from the speeches of the Bishops in another place, because though the sentiments were admirable they did not lead to any practical result. At the same time those quotations were apt to go to the root of the subject, because they presented to hon. Members in a concrete form the actual facts. The Amendment was supported by hon. Gentlemen opposite because the clause would secure the monopoly value for the State. Why should monopoly value be attacked as vindictive and destructive in this Bill when the principle was passed in the Act of 1904? He hoped the Government would remain firm in their determination to go forward with the clause.

LORD R. CECIL (Marylebone, E.) said he wished to begin by entering his protest against the grave sacerdotalism developed on the opposite benches. He observed that the quotations read by the hon. and learned Solicitor-General had been received with approval by hon. Gentlemen opposite. Archbishops, Bishops and Nonconformist divines might be safe guides in their proper sphere but he did not think they were always safe guides in secular legislation. [AN HON. MEMBER on the MINISTERIAL benches: What a confession!] The whole question of removal dealt with two quite different operations. They might have a removal of a kind which he quite agreed was in substance a request for a new licence. The licence-holder might come to the justices with a bid—a proposal to give up his present licence which was valueless and ask them to give him a new licence in a different district which would be a valuable thing to him. But in such a case the justices would know their business and refuse the bid. On the other hand there were applications for removal which were really meant to keep alive a licence under substantially the same conditions as existed before; and partly in the interest of the public, and partly in the interest of the licence-holder, it would be competent to transfer that licence to another house either in the same district, or in a closely adjoining district. That would really be the removal, the transfer of a technical licence granting the privilege of selling liquor for the public convenience. There were such applications, though he admitted they were not numerous. It seemed to him that that power ought to be kept alive. It was not in any sense a new licence but was really the removal of a licence, and it was evident that there were many cases in which such applications might be granted in the public interest. It might be that the new house which was proposed was far better fitted for the purpose, or better situated, or more convenient for the requirements of the public, or more easily supervised, and these things might very well come into the consideration of the magistrates. In such cases as that, he thought they would do well to grant removals, if they had the power to do so. They were asked to take the authority of the Bishops and Archbishops, but as a matter of fact, the danger which they feared and to which they gave expression in the House of

Lords had turned out to the non-existent. In 1904 the Archbishop, the Bishop of London, and he thought the Bishop of St. Albans, expressed a great fear that this power, if it were kept alive, would be misused by the justices and that they would be persuaded to grant removals which would be in substance the grant of new licences, and an evasion of the Act. But the then Government pointed out that that would be very unlikely to occur, and that the justices might be perfectly safely trusted not to allow any evasion of the Act. And that had been the result. The noble Lords who said that the justices in Quarter and Petty Sessions might be trusted turned out to be right. The Solicitor-General shook his head, but there were very few of these cases in which removals were granted.

SIR S. EVANS said that so far from the number being small it was large. In 1906 there were thirty-nine removals and only fifty-six new licences, a good deal more than half, and in 1907 there were thirty-nine removals and sixty-eight new licences, again more than half.

LORD R. CECIL said that these figures appeared large to the Solicitor-General because the hon. and learned Gentleman insisted upon regarding the removals as new licences; but thirty-nine all over the country was really a very small number, and unless the Solicitor-General had information to the contrary he thought it might be assumed that these were genuine removals in the public interest and in no sense the grant of new licences. He was much obliged to the hon.and learned Gentleman for the figures, and the fact that there were only thirty-nine cases seemed to him absolutely to prove the point. There must have been thirty-nine cases in which genuine removals for genuine reasons were desirable and in which they had been granted. And let him point this out to the Committee and to hon. Members opposite. They were constantly told that the great vice of the Act of 1904 was that it was a great interference with magisterial discretion and removed the conditions established by *Sharp* v. *Wakefield*. As to removals, however, they had precisely the conditions of *Sharp* v. *Wakefield*; they had the absolute and complete discretion of the magistrates whether they should grant or refuse an application for such removal. There was no limit to it. If they thought it was an undesirable application they were entitled to refuse it absolutely, without any limitation of their discretion. There they had absolutely the pre-1904 condition of absolute discretion of the justices whether to grant or refuse, and the moment they had that hon. Members were not satisfied but desired to remove their power altogether. He trusted they would hear no more of the desire of hon. Members to return to the pre-1904 conditions and of their distrust of the discretion of the magistrates.

MR. MACLEAN (Bath) was understood to claim that the figure of thirty-nine removals in a year proved the case they put forward, because it showed that thirty-nine licensees obtained the monopoly value, whereas if they were substantially new licences they ought to have paid the monopoly value. Where it was in substance a new licence monopoly value ought to be paid according to the principles of the right hon. Gentleman's own Act of 1904, and the number of removals—thirty-nine out of fifty-six—proved, he thought, the necessity for this clause. What really happened? He would take the noble Lord's instance of a removal from one district to another. It might be a small district, and they would have a useless public-house in a back street replaced by a public-house in a front street, with the result that an entirely new licence would be created, and one which would obtain the full monopoly value. He would give the noble Lord an instance of what happened before the Act of 1904, and he would take the Solicitor-General's case. A small useless public-house in a Welsh colliery district was removed to another district just over an intervening hill, the plea being put forward before the magistrates that they were not, by granting the removal, increasing the number of licences in their district. They, by their action in that case, handed over to the applicant a free grant of £8,000 or £9,000, which they on that side wished to exact for the monopoly value. They wanted to take away this power from justices who, like Cabinet Ministers, might err, and they wanted some restraint on their powers. They said that the justices should safeguard the interests of the public and that the monopoly value should be exacted for what was in fact a new licence. That was a principle which now underlay the whole of the licensing law and the actual practice, and the proposal of the Government was fair and just.

MR. SAMUEL ROBERTS (Sheffield, Ecclesall) said he did not think the Solicitor-General had given the Committee any really good reason for inserting this provision in the Bill. In fact the only reason the hon. and learned Gentleman had given was that the Government wished to seize the monopoly value. That was just the reason why they objected to it. It was at the bottom of their objection to the whole Bill that the Government wished to seize, or, in other words, to rob, the monopoly value. The Solicitor-General said that this was a provision which had been in operation under the Act of 1872, and he called it a temporary provision. It had, however, been in operation for thirty-six years.

SIR S. EVANS was understood to say that he stated that it was a temporary provision under the Act of 1871.

MR. SAMUEL ROBERTS said that at all events it had been in operation for thirty-six years without being repealed, so that it had served a useful purpose. It was quite true that perhaps it had not been used very much. Thirty-nine licences were exchanged last year, but was not that just the number after the passing of this Bill—if it became law, which they hoped it would not—where this provision could be usefully employed? The plan of the Government was to reduce licences to a dead level according to population, and they all knew that some of our large cities had far too many, while in some districts there were very few. What was more reasonable than to give the bench of justices power in places where there were too many to remove one to a district where it was required, without having to exact the monopoly value? But that was not the object of the Government, which was money, and that was what they objected to. If the Solicitor-General could not give them any better reason he hoped he would consent to withdraw this provision. The hon. and learned Gentleman had quoted the words of a prelate in another place—he thought it was the Archbishop of Canterbury—to the effect that if this provision was allowed to continue it might act most unfairly. But it was necessary to go further and say that the justices acted unfairly, and if they did so there was nothing more to say, but he thought it was generally conceded that the justices of this country acted fairly in all these licensing matters. For these reasons he hoped it was not too late to appeal to the Solicitor-General and the Prime Minister to reconsider their decision in this matter, especially when they remembered that their scheme was to try and reduce licences according to the density of the population.

MR. LANE-FOX (Yorkshire, W.R., Barkston Ash) wished to point out that the Solicitor-General would have had a stronger case if he had been able to quote real cases of actual experience, instead of giving to the Committee hypothetical cases, even though they were backed up by a Bishop in another place. The hon. and learned Gentleman had told them that these removals were thirty-nine in 1906, but he did not tell them how many surrenders were made in consideration of those removals or how many licences were extinguished in order to procure those removals. It was all very well to quote the Bishops in another place. It was most refreshing to hear hon. Members opposite quoting Bishops and he hoped they would continue to do so, but they on that side did not look up to their Bishops for their politics. [MINISTERIAL laughter.] Other hon. Members did, and he thought a few cases of actual fact or experience, such as the case which the hon. Member for Bath had quoted, would have been of far more assistance in this debate than mere hypothetical cases which might have no foundation in fact.

*MR. TOULMIN (Bury, Lancashire) said they had been told by the hon. Member for Sheffield that they wanted to "seize the monopoly value, that was to rob." They were told that if there was a district which had not a licence, but into which a licence was to be put, if it were given as a new licence it was "robbery." That licence could be put there in one of two ways. It could either be put there under the Act of 1904, when they would get a monopoly value and thereby "rob" somebody or other—he could not see that they would do anything of the sort—or they could do what this clause sought to prevent, namely, give this new licence in a new district in return for the surrender of several other licences. It was not a removal of a licence from one district to another. The new licence was more often than not granted because two, three, four or sometimes half a dozen licences, which were presumably not needed, were given up for the one new licence in the new area. It was that policy that had so greatly diminished the utility of the Act of 1904, in respect of the clauses as to new licences, which were a most valuable part of that Act. Hon. Members opposite had accused the Government of being vindictive to the licence-holders. The Bill was not vindictive, it was the Amendment that was vindictive, because there were generally three or four licence-holders affected by this transaction. If the matter were left to the Bill itself, the man who had the licence and kept the house, the actual tenant, would have the compensation. But what happened now was that these three or four licence-holders were thrown into the street and their licences surrendered to the justices in order that another person might get a good house in a new and good neighbourhood. So far as he could see there was no injustice in this clause to the real licence-holder.

Mr. C. DUNCAN (Barrow-in-Furness) contended, with regard to the removal of a licence to a new district, that the people of the district into which it was to be removed had at any rate a right to veto the licence. He quite agreed that when any removals that were practically new licences were made the monopoly value should be taken by the State. That policy was a good one and there was no robbery or plunder about it. It seemed to be assumed that it was a fair and reasonable proposal to make to the justices that they should remove a licence from one place and dump it down in another, whether the people desired it or not. That was the whole tone of the argument of the debate, and as he objected strongly to that, he said that wherever a licence was to be moved the whole thing should be regarded as a new licence. The whole question of removal was a dodge to get over the local veto. He, therefore, hoped the Government would adhere to this clause. The matter resolved itself into a question of personal gain. Neither brewers nor publicans desired to move a licence from a good to a bad district. They always wanted to remove it from a poor district to one in which they hoped to make a profit. His contention was that before any licence was dumped down in a new district the people had a right to say whether that licence should come into the district or not. The Government were absolutely justified in putting this clause into the Bill, and he hoped it would be carried by a large majority.

Mr. LYTTELTON (St. George's, Hanover Square) said it was fair to say if there was any substantial improvement resulting from the removal of a licence that improvement should be paid for by the person benefited. But if the licence was really a new licence, and it was to pass under the yoke of this Bill, they ought to agree that the provisions should apply to the monopoly value. That was a point which had been wholly misunderstood by former speakers. The Opposition objected to all monopoly value, but no one denied that if monopoly value was to apply it ought to apply to a new licence. If a perfectly valueless licence was to be removed from one district to another where it became valuable no one would say that it ought not to pass under this Act, but it was assumed by hon. Gentlemen opposite that the licensing justices, when a simple problem like this was put before them, were absolutely incompetent to deal with it and look after their own districts. The allegation of hon. Members was that the justices were likely to remove licences in order to avoid monopoly value and put valueless licences into places were they would become very valuable. The experience of the working of the Act of 1904 showed that the number of removals granted last year by the justices was fifty-eight, and in every single case the removal had not been from one end of a county to another, but in the same district. In fact the Bill would stereotype licences in places where they ought not to exist and prevent them from being removed to places were they were wanted.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. ASQUITH, Fifeshire, E.) said that this clause had nothing whatever to do with the new provisions of the Bill. It was necessitated by the provisions of the Act of 1904, and although it was perfectly true that at the end of the time-limit a number of licences which were now old licences would fall under this provision as to monopoly value, yet for the time being and for many years to come this would only be an excuse for avoiding new licences.

MR. LYTTELTON said his right hon. friend was not in the House at the time, otherwise he would have seen that the whole argument was that by this removal provision they were seeking to avoid monopoly value.

MR. ASQUITH said that Section 4 of the Act of 1904 was the provision which required the justices to attach, as a condition to the granting of new licences, the monopoly value to the State. The objection taken by anticipation in 1904, was that so long as the power of removal remained it would be possible and probable that licences which, under Section 4 of that Act, would pay monopoly value to the State would be treated as mere removals and so escape payment of monopoly value and also put themselves into a position to be compensated. Figures had been quoted by the Solicitor-General which certainly indicated, having regard to the very large proportion of removals as compared with new licences, that the process of removals had been resorted to instead of the granting of new licences. What was the object of retaining the power of removal in this Bill? If a licence was not wanted in one place and a licence was wanted in another, the proper course to be taken by the justices was in the one case to suppress the redundant licence, and in the other to grant a new licence. There was no doubt about that, and the fact that a new licence secured this monopoly value was an additional reason for not providing any possible loophole for removals. That was what they meant in bringing this Bill forward, and no one, he ventured to say, had yet succeeded in the course of the debate in showing any reason for the retention of this removal provision.

MR. BONAR LAW (Camberwell, Dulwich) pointed out that if a licence was not wanted in one district and was wanted in another the licensing justices could suppress in one case and could give a new licence in the other. Was it not conceivable that there were licences in particular places in some districts where it would be a distinct gain to the public to have them removed and replaced by an off-licence? In regard to that matter, the other side had entirely misrepresented the position of those on that side of the House. They said that it was perfectly fair and right—and they had put it in the Bill of 1904—that the monopoly value of any new licence should not go to the lucky man who got it, but to the State to which it belonged. But that was not the point here. While they admitted this was true, they said it was also equally true that they should not prevent a change which was in the public interest from being made when they were taking away the goodwill of a man's business and calling it monopoly value. That was the difference between the Government and the Opposition. He had no objection to the State getting the full monopoly value. The right hon. Gentleman had spoken as if the facts since 1904 had nothing to do with this question. That was the whole point. The objection raised in the other House to this provision remaining was that the justices would evade the Act of 1904 and, in fact, create new licences. The contention of the Opposition was that that had not happened. The evil which was feared, and the only evil which they were fighting against now, was one which experience had shown did not exist. The Solicitor-General and the right hon. Gentleman seemed to speak as if it were a case of transferring licences from one district to another.

Sir S. EVANS said he had stated that a licence might be removed from one part of the county to another, or from one street to another, or from one side of the street to the other, but it would be a new licence.

Mr. BONAR LAW said the real point at issue, and the reason why they were pressing this Amendment was simply this. They believed that it was in the public interest that a number of licences which were in a bad situation, or not in the best situation, should be given up, and instead of them another licence should be granted in any situation which was found to be in the public interest as a whole. The case of the Opposition was that they had a perfect right to say that where a removal meant that the publican or anybody else was going to get a great deal of money by the change, then the State, or whatever body was intended, should have the monopoly value. But they also said that to pass a clause which made it absolutely impossible for the licensing justices to make removals from one situation to another in the public interest was, on the part of the Government, simply to condemn the justices as unfit to undertake the duty.

Mr. SHERWELL said his reason for opposing the Amendment proposed on the other side would be equally strong if there were no provision concerning the taking of monopoly value in the Act of 1902 and the Act of 1904. He opposed the Amendment simply because he believed that it added confusion to the bare intent of the original licensing laws, which had been so constantly obscured by administration in the past. The whole theory of granting the licence was that it was required in the public interest. His contention was that the suppression of a licence in one quarter, and granting a licence in another district, were cases which ought to be kept entirely distinct. The changes in a certain locality made a particular licence redundant, and therefore it should be suppressed. The change in the condition of a district might seem to require the granting of a new licence, and that application should be dealt with solely on its merits. He objected most strongly to this confusion between a licence which should be properly suppressed, and another application which might or might not have strong arguments in support of it. The right hon. Gentleman would see on reflection that the effect of carrying out his recommendation would be that if in a particular district a licence was clearly redundant there would be an application for a new licence in another district, and the tendency would at least be to incline the magistrates to grant a new licence not strictly on its merits but merely in consideration of finding that way of suppressing the redundant licence.

*Mr. STUART WORTLEY said that hon. Members opposite persisted so steadily in treating this question as one of removal from one district to another, and in treating the suppression of a licence as if there must be a redundancy, that he felt he ought to rise, if only to state the case which he had in his mind, one which very often occurred. Take the case of a public-house just outside the gates of large works, a case very often met with. That public-house did not require to be suppressed because of redundancy; what was wanted was removal, because it was in the wrong place. He submitted that the power to remove that house was a useful power, and that its removal was only in a technical sense the granting of a new licence. Substantially it was the removal of the same thing to another and a better place, to a place where the licensee would probably not make so much money. The Solicitor-General had quoted figures to show that there was a certain number—a small number, he thought—of removals in 1907, but the hon. and learned Gentleman had not quoted figures, or he would have done so if he could, to show that there was a marked increase of removals after the passing of the Act of 1904.

Mr. CHARLES ROBERTS (Lincoln) said the point of the right hon. Member for

Sheffield could be met by transferring the licence under the Act of 1828, which was not touched by the Government's proposal to abolish the power of removal under the Act of 1872. Certainly he should imagine that a change in the position of a house generally meant an addition to its value—a change in value which might be very considerable; and in the words of the Leader of the Opposition, it would be very wrong so to arrange that any monopoly value arising from the granting of a new licence should not be secured to the State. One other matter. The whole of the surrender system had had a very bad effect. It had kept alive hundreds and thousands of licences merely for the purpose of their being used as counters in bargaining. He remembered a case in a division of Sussex where it was said that a particular licence was merely a surrender licence, and it was obviously treated as one of the counters in a bargain in which, he thought, in this instance as in others of a similar sharacter, the justices did not get the better of it. Where they were clearing away two or three small licences of no value they were granting a really valuable licence. The result which had been produced as a matter of fact was foreseen and objected to by the bishops in the House of Lords, and it was seen from the cases which occurred in 1905 that this power of removal really meant the driving of a coach and horses through the clauses.

MR. RICHARDSON (Nottingham, S.) said he was certain he was voicing the views of many members of all parties when he said that this proposal would do something to release them from the tied house system. Close observation in his own neighbourhood had taught him that wherever offers were made for a new licence in a new neighbourhood in exchange for old licences, or for a single old licence in an old neighbourhood, those offers were not made by the owners of free houses but always by the brewers. If that class were not dealt with by the Bill, or if the Amendment were carried, he was afraid that they would fasten the tied house system still more closely round the necks of the people. What was wanted more than anything was the growth of free licences. In the city which he represented he met a deputation of owners of free houses whose united holdings in their houses amounted to over £70,000. He would like to hear of a similar number of brewers' tied houses where there was the same financial interest on the part of the licensees. He urged that they should encourage in new neighbourhoods free men managing their own houses, and do everything possible to kill the brewers' tied-house system.

*MR. CAVE said he only rose for the purpose of pointing out that the case put by the right hon. Member for Sheffield could not, as suggested by the hon. Member for Leicester, be dealt with by an order of renewal under the Act of 1828 That Act provided that if a licensed house should be "by fire, tempest, or other unforeseen and unavoidable calamity" rendered unfit for the purposes of an inn, an order of renewal might be made. But he did not think even his hon friend opposite would say that the erection, say, of a large factory or a school next door to a public-house, was an unforeseen and unavoidable calamity within the meaning of the statute.

*MR. R. PEARCE (Staffordshire, Leek) asked the Solicitor-General to consider this case. There was a public improvement under which an inferior public-house was pulled down and an arrangement made with the owner of an adjoining house that that house should be substituted for the old one. It was better placed and adapted for the convenience of the locality. The name of the house pulled down was the "King Charles' Head," and the name of the builder who rebuilt it Oliver Cromwell.

Question put.

The Committee divided:—Ayes, 257; Noes, 103. (Division List No. 320.)

AYES.

Acland, Francis Dyke
Agnew, George William
Alden, Percy
Allen, Charles P. (Stroud)
Armitage, R.
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Asquith, Rt. Hn. Herbert Henry
Baker, Sir John (Portsmouth)

Baker,Joseph A.(Finsbury, E.)
Balfour, Robert (Lanark)
Baring,Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Bell, Richard
Benn,W.(T'w'r Hamlets,S.Geo.
Berridge, T. H. D.
Bethell, T. R. (Essex, Maldon)
Birrell, Rt. Hon. Augustine
Black, Arthur W.
Boulton, A. C. F.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Brocklehurst, W. B.
Brunner, J.F.L.(Lancs.,Leigh)
Bryce, J. Annan
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Buxton,Rt.Hn.Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Channing, Sir Francis Allston
Cheetham, John Frederick
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins,Sir Wm.J(S.Pancras,W.
Corbett,CH.(Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth)
Crooks, William
Crossley, William J.
Curran, Peter Francis
Davies,David(Montgomery Co.
Davies, M. Vaughan-(Cardigan
Davies, Timothy (Fulham)
Dewar, Arthur (Edinburgh, S.)
Dickinson,W.H.(St.Pancras,N.
Duckworth, James
Duncan,C.(Barrow-in-Furness)
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne,Major E.Martin(Walsall
Edwards, Enoch (Hanley)
Edwards, Sir Francis (Radnor)
Esslemont, George Birnie
Evans, Sir Samuel T.
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Findlay, Alexander
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch,George Peabody (Bath)
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Gurdon,RtHn.SirW.Brampton
Harcourt,Rt.Hn.L.(Rossendale
Harcourt, Robert V.(Montrose)
Hardie,J.Keir(Merthyr Tydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey, W.E.(Derbyshire,N.E.
Haslam, James (Derbyshire)
Haworth, Arthur A.
Hazel, Dr. A. E.
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J.M.(Aberdeen,W.)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon.,S.)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Holland, Sir William Henry
Holt, Richard Durning
Hooper, A. G.
Hope,W.Bateman(Somerset,N.
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Isaacs, Rufus Daniel
Jacoby, Sir James Alfred
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones,SirD.Brynmor(Swansea)
Jones, Leif (Appleby)
Jones,William(Carnarvonshire
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Laidlaw, Robert
Lamb, Edmund G.(Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Leese,Sir Joseph F.(Accrington
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, J.M.(Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
Macpherson, J. T.
M'Callum, John M.
M'Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Manfield, Harry (Northants)
Marks,G.Croydon(Launceston)
Marnham, F. J.
Massie, J.
Masterman, C. F. G.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morrell, Philip
Murray,Capt. HnA.C.(Kincard.
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Norton, Capt. Cecil William
Nuttall, Harry
Parker, James (Halifax)
Partington, Oswald
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Perks, Sir Robert William
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Price, C.E.(Edinb'gh, Central)
Price ,Sir Robert J.(Norfolk,E.)
Priestley, Arthur (Grantham)
Priestley, W.E.B.(Bradford,E.)
Radford, G. H.
Rea, Russell (Gloucester)
Rea,Walter Russell (Scarboro')
Rees, J. D.
Rendall, Athelstan
Richards,Thomas (W.Monm'th
Richards, T.F.(Wolverh'mpt'n
Richardson, A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson,SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rogers, F. E. Newman
Rose, Charles Day
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann,Sir C.E. (Manchester)
Scott,A.H (Ashton-under-Lyne
Sears, J. E.
Seddon, J.
Shaw, Charles Edw. (Stafford)
Sherwell, Arthur James
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Stanger, H. Y.
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Summerbell, T.
Sutherland, J. E.
Taylor, Theodore C.(Radcliffe)
Tennant,Sir Edward(Salisbury
Tennant, H. J. (Berwickshire)
Thomas,Sir A.(Glamorgan, E.)
Thompson, J.W.H.(Somerset,E
Thorne, G.R.(Wolverhampton)
Torrance, Sir A. M.
Toulmin, George

Trevelyan, Charles Philips
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Walton, Joseph
Wardle, George J.
Wason, Rt Hn. E.(Clackmannan
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker, Rt Hn. Sir Thomas P.
Wiles, Thomas
Wilkie, Alexander
Williams, Osmond (Merioneth)
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Arkwright, John Stanhope
Aubrey-Fletcher, Rt. Hn. Sir H.
Baldwin, Stanley
Banbury, Sir Frederick George
Baring, Capt. Hn. G. (Winchester
Beach, Hn. Michael Hugh Hicks
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bridgeman, W. Clive
Bull, Sir William James
Butcher, Samuel Henry
Campbell, Rt. Hon. J. H. M.
Carlile, E. Hildred
Castlereagh, Viscount
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Chamberlain, Rt Hn. J. A. (Worc.
Clive, Percy Archer
Cochrane, Hon. Thos. H. A. E.
Collings, Rt. Hn. J. (Birmingh'm
Courthope, G. Loyd
Cross, Alexander
Dixon-Hartland, Sir Fred Dixon
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Duncan, Robt. (Lanark, Govan)
Faber, George Denison (York)
Faber, Capt. W. V. (Hants, W.)
Fell, Arthur
Fletcher, J. S.
Gibbs, G. A. (Bristol, West)
Gooch, Henry Cubitt (Peckham)
Goulding, Edward Alfred
Gretton, John
Guinness, Hon. R. (Haggerston)
Guinness, W. E. (Bury S. Edm.)
Haddock, George B.
Hardy, Laurence (Kent, Ashf'd)
Harrison-Broadley, H. B.
Hay, Hon. Claude George
Heaton, John Henniker
Helmsley, Viscount
Herbert, T. Arnold (Wycombe)
Hill, Sir Clement
Hope, James Fitzalan (Sheffield)
Houston, Ropert Paterson
Joynson-Hicks, William
Kerry, Earl of
King, Sir Henry Seymour (Hull)
Lambton, Hn. Frederick Wm.
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Lockwood, Rt. Hn. Lt.-Col. A. R.
Long, Col. Charles W. (Evesham)
Long, Rt. Hn. Walter (Dublin, S.)
Lyttelton, Rt. Hon. Alfred
MacCaw, William J. MacGeagh
M'Arthur, Charles
Marks, H. H. (Kent)
Mason, A. E. W. (Coventry)
Mason, James F. (Windsor)
Meysey-Thompson, E. C.
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
Oddy, John James
Pease, Herbert Pike (Darlington
Percy, Earl
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Ratcliffe, Major R. F.
Remnant, James Farquharson
Renton, Leslie
Ridsdale, E. A.
Roberts, S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Rutherford, W. W. (Liverpool)
Salter, Arthur Claveli
Scott, Sir S. (Marylebone, W.)
Smith, Abel H. (Hertford, East
Smith, F. E. (Liverpool, Walton)
Smith, Hon. W. F. D. (Strand)
Stanier, Beville
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.)
Stone, Sir Benjamin
Strauss, E. A. (Abingdon)
Talbot, Lord E. (Chichester)
Talbot, Rt. Hn. J. G. (Oxf'd Univ.
Thomson, W. Mitchell-(Lanark)
Thornton, Percy M.
Walker, Col. W. H. (Lancashire)
Walrond, Hon. Lionel
Warde, Col. C. E. (Kent, Mid)
White, Patrick (Meath, North)
Willoughby de Eresby, Lord
Wilson, A. Stanley (York, E. R.)
Winterton, Earl
Wortley, Rt. Hon. C. B. Stuart-
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE NOES—Sir Alexander Acland-Hood and Viscount Valentia.

Clause 23 :

*MR. YOUNGER said he wished to move an Amendment in order to raise what appeared to be an important question. If an exception was to be made in favour of cider which contained very often 8 per cent. of proof spirit 2 per cent. more than Bass's beer, he wanted to know on what principle any liquor containing not more than 5 per cent. should not be specially exempted, as it was now proposed to exempt cider. That enabled one to raise the whole question as to whether it was not a desirable thing that something or other in the shape of the legislation recently passed in Denmark should not be put in this Bill, to encourage the sale of light wines, beers, stouts or ciders in houses specially set apart for the purpose, specially regulated and under special provisions, providing as they did in many cases all that was wanted in the way of intoxicating liquors by many people. It appeared essential to raise the question when this exemption was being proposed in favour of cider, and to point out that many ciders were considerably stronger than beer. As one knew from the analyses made every year in Somerset House, many temperance drinks which were sold as non-alcoholic were found to contain 10 per cent. and 12 per cent. of alcohol. He noticed that most teetotallers drank stone ginger. They did not know perhaps why, but the real truth was that there was spirit in that, and there was none in the other sort.

Amendment proposed—

"In page 14, line 25, to leave out the word 'alone,' and to insert the words 'or of any liquor containing less than 5 per cent. of proof spirit.'"—(*Mr. Younger.*)

Question proposed, "That the word 'alone' stand part of the clause."

SIR S. EVANS said he was not competent to enter into a discussion with regard to the quantity of alcohol in stone ginger beer, cider, or anything else. He knew cider was to a certain extent intoxicating and, unless one was used to it, perhaps more intoxicating than things one was in the habit of drinking containing more alcohol. The clause was not very important as it stood. The number of houses was small—only twenty-five he thought in 1906–7—and the holders were in this position, that they did not want compensation if their licence was taken away, and they did not want the compensation levy. He did not know whether it was intended to include them in the definition of on-licence, but they came within it and if they were to be dealt with it must be in this way.

MR. COURTHOPE (Sussex, Rye) said that if the intention was not to give a preference he did not see why the Government had taken any action. Why not treat them as other licences? He did not think they really could be satisfied with the Solicitor-General's explanation that cider and perry licences had been exempted merely because the licensees were not asking for compensation. If that was the sole reason he did not think there was any justification for this clause.

*THE CHAIRMAN: As a matter of order, if the hon. Member desires to discuss the clause, I think he had better wait until we have got rid of this Amendment, and I will then put the question "that the clause stand part of the Bill."

MR. YOUNGER said there did not seem any particular reason in the explanation given why, if these people selling this particular class of liquor did not wish to pay any levy or have any compensation they should not be encouraged.

*MR. LUPTON (Lincolnshire, Sleaford) said he should support the Amendment. He was aware that, as the Bill stood, the Amendment could only have a moral effect, but it might lead on the Report stage to further Amendments giving effect to the principle of the encouragement of the sale of drink containing a low percentage of proof spirit. That would be a very great improvement. Everybody who had studied the question knew that people who lived in Belfast and other towns where spirits were drunk to a great extent regarded beer-drinking as comparable to teetotalism. If they could only get the people in this country to prefer the less harmful beverages like light beer and cider they would be taking steps in the direction of temperance. The question was how could they best get a real measure of temperance reform. In his opinion it could be best achieved on the lines of an Amendment to encourage the sale of light beverages. He did not say that cider was not an intoxicant, because people had been made drunk wth it, but he thought they might encourage the sale of a cider containing not more than 5 per cent. of proof spirit. When there was any difficulty in obtaining non-intoxicating beverages people often bought the concentrated drink. They could not very well carry home enough of 5 per cent. beer in their pocket to get drunk upon. He hoped the Government would see their way to incorporate this Amendment in the Bill.

MR. AUSTEN CHAMBERLAIN desired to ask a question as to the scope of the clause which they were now discussing. Was its effect to take the cider licences out of the whole of the provisions of this Bill, or merely out of the compensation levy? Would the cider licences be subject to the local veto provisions and also to the provisions dealing with renewals?

SIR S. EVANS replied that it only modified existing on-licences and did not affect any provisions as to new licences.

MR. LAMBTON did not see why cider should be exempted. He had seen people get very drunk on cider. He did not think any special encouragement should be given to people to sell cider upon which a man could get drunk. The Solicitor-General's explanation was not satisfactory. He ought to have proceeded to tell the Committee what the Archbishop of Canterbury and the Bishop of London thought on the subject. By Clause 23 the Government deliberately proposed to increase drinking. Under Clauses 21 and 22 a large monopoly value would be obtained by the Government at the end of the time-limit, and under Clause 23 he thought the monopoly value they would get out of cider was not worth having. All sorts of endeavours were being made to obtain monopoly value out of the trade, but there was no endeavour made by the Government to provide for real temperance.

MR. ASQUITH invited the Committee not to prolong the discussion on this Amendment. If there was any serious opposition to the clause the Government would at once withdraw it. There was no sinister motive about the clause. The Government did not attach any importance to this provision, and it was not intended to encourage a preferential taste for cider. It was inserted simply on the representation of a small body of traders whose case seemed to present a little hardship and who stated that they had been included in the Act of 1904 *per incuriam*, because, technically, they came under the description "existing on-licences."

SIR E. CARSON (Dublin University) said he did not object to the Government proposal, perhaps because he was a cider-drinker. It really was very doubtful whether cider was a temperance drink.

MR. YOUNGER stated that he would withdraw his Amendment, although he thought that it would be better not to have that clause in the Bill.

Amendment, by leave, withdrawn.

Question proposed, "That the clause stand part of the Bill."

MR. JAMES HOPE said he was not at all clear that the twenty-five licensees of cider really understood the position they were in. It was true they would not pay compensation levy, nor get compensation, but would they be included in the scheme of reduction? If so, they might be reduced in number without compensation being paid. As he understood it they would be in the position of the ordinary off-licence holder who was not protected in any way. If they managed to survive to the end of the twenty-one years, then they would get the monopoly value. He wished to know if they would be put under the unfettered discretion of the justices to refuse or renew their licences.

MR. ASQUITH said he supposed the licensees in questions knew their own mind when they made representations on the subject. If however, there was to be any discussion on the clause he would withdraw it altogether.

Question put, and agreed to.

Clause 24:

SIR S. EVANS moved to leave out the words "except in the case of a licence granted for a term," and stated that if this and other Amendments of which he had given notice were adopted the clause would read as follows:—"(1) The payments required under Section 4 of the Licensing Act, 1904, in respect of monopoly value shall in every case of a new licence granted after the passing of this Act be determined by the Commissioners of Inland Revenue, and in the case of a licence not granted for a term shall not exceed the monopoly value for a year as ascertained in accordance with this section, and, in the case of a licence granted for a term, shall be based on the monopoly value as so ascertained. The monopoly value shall be taken to be the sum by which, in the opinion of the Commissioners of Inland Revenue, the value of the premises, as adopted or estimated for the purpose of Income-Tax under Schedule A., when licensed, and without taking into consideration any provisions for securing to the public the monopoly value, exceeds the value of the premises for that purpose when not licensed. Provided that in ascertaining the monopoly value of hotels or other premises where the value of the premises does not mainly arise from the sale of intoxicating liquor, any value of the premises other than that arising from the sale of intoxicating liquor shall be excluded from consideration. (2) If a licence, granted before the passing of this Act as a new licence under Section 4 of the Licensing Act, 1904, but not as a licence for a term, is extinguished at any time during the reduction period, and the holder of the licence proves to the satisfaction of the Commissioners of Inland Revenue that the amount required to be paid in any year on account of monopoly value has exceeded the monopoly value for a year, and that the licence has not been extinguished on the ground of misconduct, the Commissioners shall allow the repayment of such portion, if any, of the sum paid on account of monopoly value as they think just, having regard to the time which has elapsed since the original grant of the licence. Any sum allowed shall be paid by the Commissioners to the holder of the licence, and shall be deducted from the next payment made out of the local taxation account to the council of the county or county borough who have had the benefit of the original payment. The conditions attached to the grant of a new licence for the purpose of securing to the public the monopoly value may provide for the revision of the payment fixed for the purpose on the renewal of the licence either annually or periodically, or for fixing in some future year the amount of the payment to be made in the event of the licence being renewed in that year." He said the clause raised the whole question of what the monopoly value provisions were to be, and he would leave the Prime Minister to explain them to the Committee.

Amendment proposed—

"In page 14, line 28, to leave out the words 'Except in the case of a licence granted for a term.'"—(*Sir S. Evans.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

Sir S. Evans.

MR. ASQUITH said he thought it might be for the convenience of the Committee if he made a statement showing the effect of the changes now proposed in the general scope of the clause. The first subsection with which they were now dealing, as originally drawn, was put in with the intention of preventing a practice which had grown up under the Act of 1904 of the justices taking a lump sum down, often considerable in amount, as monopoly value, and granting a licence not for a term, but only for a year. It was a case which had occurred in sixty-five instances between 1905 and 1908 where the monopoly value was paid for either wholly or in part in money, and in twenty-five cases there had been paid some capital consideration other than money. The total amount so paid in money was £81,370. The Leader of the Opposition the other day expressed his surprise that this practice, totally foreign to the intentions of the framers of the Act of 1904, should have grown up, and he gathered that the right hon. Gentleman would be at one with them in putting an end to it. It was a practice which had already given rise to difficulty, for the hon. Member for Sheffield had repeatedly pointed out that in the case of some of these licences granted only for a year there had been paid down sums amounting to thousands of pounds which had gone into the local exchequer. He thought it would be admitted from the very first that it would be unjust to treat the licensees who had made the payments as though the licences were to come to an end at the end of the year without some attempt to refund a portion of the consideration money which had been paid. That was the main object of the first subsection, but it dealt with two other matters as to both of which the Amendments of the Solicitor-General were in fulfilment of pledges which he had given on behalf of the Government in the course of these debates. The first object was to remove the duty of assessing the monopoly value from the licensing justices to the Commissioners of Inland Revenue, and that was a change which he thought those interested in the trade would themselves approve. It had at any rate the merit that it introduced uniformity into their system instead of the extraordinary variety of practices which had hitherto prevailed among different benches of licensing justices. In some cases the bench took a large lump sum down for the grant of a licence, and in other cases they granted licences for a term of years. The Amendment would secure that the persons interested in the public-house on the one side, and the State, upon the other, would have a tribunal acting upon fixed principles, and which could be relied upon to apply to every case as it arose the principles which were applied to others. That matter was dealt with by the first Amendment. The second change was to introduce—what the Act of 1904 did not attempt to do—a definition of monopoly value. The phrase "monopoly value" appeared for the first time in the Act of 1904, where justices were directed to attach such conditions to a new licence as they thought best adapted for securing to the public any monopoly value which was represented by the difference between the value of the premises licensed and unlicensed.

*MR. YOUNGER: Is that not a correct definition when dealing with a new licence?

MR. ASQUITH said it was correct so far as it went. He did not say that it defined it completely. Might he point out by way of explanation that Clause 24 was in the view of the Government a mere Amendment of the Act of 1904, and was not necessitated by any provision in the present Bill; nor would it have any fresh application to the state of things created by the Bill till the expiration of the time limit when, for the first time, the question would arise of the resumption by the State of the monopoly value. The Government thought it desirable, and there had been a feeling shown in the course of these debates that it was desirable, that the Legislature itself should place upon the Statute-book some measure by which the assessing authority—in future to be the Commissioners of Inland Revenue—could act in determining the difference between the value of premises licensed and unlicensed. Their proposal was to say that the monopoly value should be taken to be the sum by which, in the opinion of the Commissioners of Inland Revenue, the value of the premises, as adopted or estimated for the purpose of income-tax under Schedule A, when licensed, and without taking into consideration any provisions for securing to the public the monopoly value, exceeds the value of the premises for that purpose when not licensed. In other words, the Commissioners of Inland Revenue were to take as the measure of monopoly value in the grant of a new licence the same criterion by which the Government proposed, when an existing licence was suppressed for redundancy, that the accompanying compensation should be fixed. It was the difference between the Schedule A value of the premises with a licence, and all its privileges, as compared with the Schedule A value of the premises without the licence.

*MR. YOUNGER: That is upon the system adopted in Scotland.

MR. ASQUITH: Exactly the same, and it was the principle which had been adopted, rightly or wrongly, as the basis of compensation. He need not remind the House that Schedule A value of premises as licensed ought to include and if properly taken did include, all the ingredients of monopoly value. It included local goodwill—the value arising from situation—and it included the value conferred on the premises by the licence in regard to freedom from competition, and the other privileges with which a licence was accompanied. On the other hand, Schedule A value of the premises without a licence was the rent which the tenant would pay for them without any of these special advantages, and the difference between the two the Government thought—and it was in accordance with commonsense—was the monopoly value. It was the additional value conferred on the premises by the licence. He might point out in passing that there were some words in one of the Amendments which seemed to require explanation. The words were—

> "And without taking into consideration any provisions for securing to the public the monopoly value."

Of course, if they had premises actually let at a rack rent as a free house, the Schedule A value would represent, as compared with the Schedule A value of the same premises let to a draper or grocer, the monopoly value. In other words, the landlord was receiving the monopoly value. It did not matter to the tenant whether he paid that monopoly value in a lump sum as part of the rent, or whether he paid to his landlord the rent which he would pay for unlicensed premises, and also paid the monopoly value in another way to the State. The Government were inserting words with the object of providing that if and when the State resumed the monopoly value, the Schedule A value of the premises licensed and unlicensed should be the same—to show that they must take into account, when they were estimating tbe two things which had to be compared, that the monopoly value had passed away from the landlord to the State as an ingredient in assessing the value of the premises licensed.

*Mr. YOUNGER asked whether that would be taken into account in the assessment.

Mr. ASQUITH said it was just to meet that difficulty that the Government proposed to make this Amendment. The assessment of the premises licensed and unlicensed would be the same. The monopoly value which now went to the landlord would in future go to the State. It would not appear in the rate-book at all. This was the procedure which would be followed by the Inland Revenue when they were asked by licensing justices to assess the monopoly value of these new licences. They would look at Schedule A; it would not always be correct but they would look at it. There was no necessity for making any alteration in any way.

Mr. BARNARD asked whether it would be subject to local rating by public authorities.

Mr. ASQUITH: No, it has nothing whatever to do with rating. It was simply for making the calculation as to what was a fair sum for the State to take as monopoly value when it granted the privilege of a new licence. It was merely machinery for the purpose of ascertaining in particular cases what the monopoly value should really be.

*Mr. YOUNGER: Assume that £120 goes to the landlord, and supposing the monopoly value is £20, what is to be the value in the valuation roll upon which the tenant is to be rated?

Mr. ASQUITH would say £100. But he was speaking not of the tenant but more of the landlord. That did not affect any question of rating. It was merely a question of machinery for ascertaining in particular cases what was the particular value. In the discussions on compensation he thought the general tendency of the criticisms to which the Government were exposed was that they were not acting over generously in giving to the persons interested in the extinguished licence merely the difference between the Schedule A valuation. At any rate, they were acting on the same principle now, and they were not securing for the State, in the shape of monopoly value, anything more than the persons interested in the licensed premises would obtain if the licence were extinguished on the ground of redundancy.

Mr. CAVE: What is the meaning of the phrase "as adopted or estimated"?

Mr. ASQUITH said that as was pointed out the other day the actual Schedule A was taken at the present moment, but the real Schedule A value ought also to be considered. The monopoly value had never hitherto formed part of Schedule A value.

Sir E. CARSON asked what the provision was to be in the case of a term.

Mr. ASQUITH said that in the case of a licence not granted for a term, the monopoly value was not to exceed the monopoly value for one year as ascertained under this procedure. In the case of a licence granted for a term, it would be based on the monopoly value as so ascertained. If it was granted for one year, the monopoly value would be the difference between the two valuations.

Mr. AUSTEN CHAMBERLAIN asked whether the monopoly value for a term would be paid in a lump sum at the beginning of the term, or as an annual sum each year of the term.

MR. ASQUITH said it certainly might be paid down in a lump sum. He did not see any objection to a lump sum payment on principle. When they were giving a licence for a term of years, it might be more convenient for all parties. The objectionable practice was taking a big sum down and giving a man only the precarious tenure of one year. What they were doing here was, first of all, to give the assessment of monopoly value in all cases to the Commissioners of Inland Revenue with the object of securing uniformity in principle, and, next, to lay down a measure of monopoly value corresponding, *mutatis mutandis*, with the measure which they had laid down for compensation, and which would prevent the State from taking from the licence-holder a larger sum than it was fairly entitled to receive in view of the privileges it gave in granting a new licence. He thought this provision would be a great improvement on the Act of 1904.

SIR E. CARSON said it was exceedingly difficult, at this stage of the Bill, to discuss an entirely new principle of granting a new licence. He doubted if anybody reading the Amendment could possibly have understood what it was it aimed at without hearing the speech of the Prime Minister, and, although he had had considerable experience in reference to licensing matters, and had followed the working of the Act of 1904 very closely, he confessed he hardly felt competent, on the short consideration he had been able to give to it, to deal with the subject in any reasonable way.

MR. ASQUITH said he was extremely sorry that the right hon. Gentleman and the Committee should be embarrassed by the shortness of notice, though he thought he had more or less indicated in previous speeches what they were going to do. He agreed that the matter was of great importance, and he would undertake on the Report stage to put it in such a position that if, after mature consideration, further argument should be thought necessary there should be an opportunity for hearing them.

SIR E. CARSON said they were obliged to the Prime Minister for that offer, but it was necessary that he should make such observations as now occurred to him. As the section stood before the alteration now suggested it was a very simple section, and there was nothing in it which anybody could not understand. He did not think that it was ever intended that on the passing of the Act of 1904 in the grant of an annual licence they were to take something for a period which extended beyond the year, but only to take the monopoly value for one year. When a man was given a licence for a term of seven years he paid a sum of money for that, either an annual sum or a lump sum to begin with. He thought that in practice a good many paid an annual sum. In practice the Act of 1904 had worked perfectly well. What he understood to be the main objections to the present Amendment were two. The first was that the magistrates who were granting the licence, who were aware of the needs of the district and of the probabilities of the trade, and who were, most of all, aware of the value that was likely to accrue from the granting of the licence, were to have no voice whatever in the future in fixing the amount to be paid. In his opinion that was a grave mistake, and he doubted very much whether it would work out in practice. He did not understand that Section 4, subsection (*a*) of the Act of 1904 was being repealed, and, therefore, what was to happen was that magistrates, when an application came before them, would have power to attach whatever conditions they pleased to the granting of the licence. Take the case of a six-days licence, or that the house was to be closed on Sundays or to be open only during certain hours. How on earth could the Inland Revenue Commissioners, sitting in London, ascertain what the effect of the various conditions which the magistrates might impose would be upon the value? The thing would really not be capable of working. No matter what the conditions were, all the Inland Revenue Commissioners would see would be the value of the income-tax schedule, and what it was unlicensed. That was all they would be able to do, and it would be a hard and fast rule in every case. Many valuers had different methods, and there was great variety in the conditions which they attached, and how on earth the Commissioners were to ascertain what was the effect *quo ad* Schedule A of the Income-Tax Act under these conditions he failed entirely to see. Surely the best qualified persons to decide this question were the justices, who were not only themselves attaching these conditions, but were the persons who knew exactly the needs of the district, and what was likely to be the proper value of a house. He suggested to the right hon. Gentleman that this was not a matter that could be done by the Inland Revenue, but it could only be done by those people who were acquainted with what was really the contract entered into between the parties, and with many other things which would occur to anybody familiar with the practice. He did not know whether the right hon. Gentleman approved or disapproved of the practice of telling a man who applied for a new licence that he must give up other licences, say in a place which could not be properly policed, but it was very common for magistrates to do that. The man very often undertook not to apply for a renewal under these conditions, but under this section all that would be at an end, or if it was not at an end, it would not be a matter which the Inland Revenue hard and fast line, which they were now laying down, could possibly take into consideration. It would be utterly impossible to work under conditions made by the magistrates, and at the same time run a hard and fast line between a comparison of the premises unlicensed and under Schedule A of the Income-Tax, so as to work out a just result in every one of these cases. He believed the thing was quite impracticable. There was another matter; were the Inland Revenue going to have a hearing? Were they going to hear the parties on the value of the premises as unlicensed? Surely if they were to form any kind of an estimate at all as to how this matter was to be worked out the parties ought to be heard. Take six-day licences when the houses closed altogether on Sundays. Take it that the magistrates put on conditions that the premises were to close at 2 on Saturday—because they could impose what conditions they liked—how on earth were these things to be gauged by the Inland Revenue if there was no hearing of the parties? It seemed to him that in practice, if the parties were not heard, and if the Inland Revenue did this behind their backs, that it would be found an extremely difficult system to work. He had not really had time to go into the question of how the income-tax Schedule A was to work. He really did not gather from the Prime Minister what was to happen to the book which contained the assessment under Schedule A. As he understood, it would go on just as it was at present. [An HON. MEMBER: They will alter it.] No; they might make a new assessment, but they could not alter it, because they were not repealing the Income-Tax Acts in any way. Possibly they might apply for a new valuation, but that was a different thing; but they could not alter the principles. They had pointed out before, but they had never had an answer, that if they were to alter the value under the Income-Tax Act only in the case of public-houses, they would be putting this high value, or this increased value for taxation, in opposition to the usual tax, and Schedule A of the Income-Tax Act would have no application. Where they were to get the Schedule A value was a part of the thing he had not followed at all. How they were to get the Schedule A value without licence, and without taking into account any of the conditions imposed for the security of the public, he did not know. He did not gather that the Prime Minister said that it appeared anywhere, and he did not see how it was to work out. He knew that the Government wanted to make a symmetrical scheme and to apply this principle as had been done in the case of compensation; but very often a plan might have a nice appearance but work out very badly. One of the great difficulties was this: in the estimate of compensation they had an estimate under Schedule A of the value of licensed premises, but they had not got it here. These premises were unlicensed to which they were going to give a valuation under Schedule A as licensed. Therefore they had to make a new valuation in the case of the new licence. That was why he said it did not bear any relation to compensation even for purposes of symmetry. Here they would have to have an estimate made of what was to be the valuation under Schedule A. They would have then another valuation, he supposed, deducting from that—he did not know whether it was deducting or adding—deducting from that the money that had been paid for monopoly value. He supposed that was what was meant, because that was money which had, so to speak, been earned out of the item of valuation, and all that would have to be done. It seemed to be a tremendously complicated business. It appeared to him also that they would have in the Inland Revenue a most unsuitable tribunal. In every one of the cases where a man had this new licence they would have to deal with it without the slightest assistance so far as amendment went and without having anybody before them to tell them anything or give them information as to these values. He regretted that he could not make his point of view any clearer at present to the Committee, but it seemed to him, as far as he could understand the provisions, to be about as clumsy a method as possible of carrying this out, and for no reason in the world except to secure symmetry. This was one of those changes of front to which they were becoming accustomed. On this matter the Government would not trust the justices. A short time ago they were trusting them absolutely, now they would not trust them, and said they were not fit to decide on these matters on evidence. He hoped the matter would be reconsidered before the Report stage. He might say, however, that as far as he was concerned it was not a portion of the Bill that in the slightest degree excited him or in which he took any interest, comparatively speaking. He did not care very much how difficult the Government made it for any person to obtain a new licence, or how onerous were the terms upon which such a licence was granted, for the applicant acted with his eyes open and would get what the law said he should and what he bargained for. That was entirely different from the other clauses of the Bill, which took away from him something that he had already. Therefore he did not feel the same hostility to this kind of amendment of the law, but he did think they should not set up something which might prove extremely clumsy and take away the power of deciding from the tribunal which had all the facts before it, and which had been perfectly well able to make these assessments from time to time.

*MR. BARNARD was very glad that the right hon. Gentleman approached this portion of the Bill without any of the excitement with which he regarded some other portions. He was in the same position, but he welcomed very much the decision of the Government to place in the hands of the Inland Revenue authorities this very serious duty. He thought it would have been a deplorable thing if they had left it to 999 benches in the country to come to different conclusions by perhaps various methods of arriving at this monopoly value. The right hon. Gentleman was not present yesterday, or perhaps he would have remembered what his ordinary allies and colleagues said about the magistrates. Yesterday they were not so inclined to trust the magistrates on a number of trivial things—much less important things than these—but to-day the right hon. Gentleman said he did not consider the Inland Revenue Commissioners able to come to a conclusion, but thought that the justices were. If he understood the position aright, the magistrates would be able to impose on every licence a variety of conditions, and he took it that the Inland Revenue authorities would be able to fill up what those conditions really meant, and so they would be able to decide the monopoly value according to the different conditions that were placed upon the licensee. He thought the House ought to remember, in discussing all questions of value, that they had been promised on a great many occasions, connected with a great many different subjects, that they should have a new Valuation Bill which would consolidate the valuing authorities of the country. If they had that it would assist them very largely in this matter. He thought that a Valuation Bill would be an advantage, and a great consideration in connection with the matter. In regard to Schedule A he would like to elicit from the Government some information. The Prime Minister had told them that this question would not affect the rating of the country, but—he might be quite wrong—it appeared to him that it would very seriously affect the rating considerations of the various local authorities of the country, and he would tell the House why. The value of a licensed house was apparently to consist, so far as Schedule A went, of the value of the structure, and the value for monopoly purposes. These two things put together would be what a person was paying to be inside the house. Would not that valuation, therefore, be the basis of assessment for ordinary rating purposes?

*Mr. HERBERT SAMUEL: No.

Mr. BARNARD said then perhaps the hon. Gentleman would tell the Committee what the real rating value would be. Because, if 30,000 public-houses were to be got rid of and if in the future they were not to have on the rating books this monopoly value, which after all represented a portion of what the man paid in order to be in the house, the local authorities would be heavy losers. The other point on which he desired some information was with regard to the £81,000 which the Prime Minister said had been received for the licences of sixty-five and twenty-five houses. No doubt some of that £81,000 would be returned as compensation. He found no fault with that, as most of them were new licences, and he did not suppose that many of them would come under the redundancy clause. But he protested against this monopoly being charged to the local taxation account. They had several funds in the country out of which this money could be paid: the compensation fund, the whisky moneys, which different Governments had kept, and others, and it certainly was hard lines whenever a few pounds were required that the local authorities should be raided by the money being charged on the local taxation account.

*Mr. HERBERT SAMUEL said the right hon. Gentleman the Member for the Dublin University had maintained in the first place that it would be very difficult for the Income-Tax Commissioners to assess the value of licensed houses to Schedule A if the imposition of conditions for new licences were not in their hands, but in the hands of the local justices. The right hon. Gentleman had pointed out that the local justices might limit the licence of certain premises to a six-days licence or impose any other conditions which they thought desirable. But, of course, the Income-Tax Commissioners would consider that in their assessment as they would any other circumstances. They would take everything into consideration, and there was no reason why the Inland Revenue Commissioners should not fix the assessment, although the local justices imposed the conditions. The Inland Revenue authorities would assess the value in the same way as they now did. With regard to the practicability of assessing valuations by considerations of this kind, he would point out that this clause would apply now and ultimately to two classes of licences, viz., new licences, premises open for the first time for the purpose of public-houses, and those which would be technically new licences at the conclusion of the time-limit of twenty-one years. With regard to the former, the duty cast upon the Inland Revenue Commission would be the same as that now cast on the local justices by Section 4 of the Act of 1904. They would have to assess the monopoly value as represented by the difference between the value of the premises when licensed and the value of the same premises when not licensed. That would not be difficult to do. With regard to those which would become technically new licences at the end of twenty-one years, but which had been used for public-house purposes between now and then, the Inland Revenue Commissioners would be able to take the valuation of the premises as between now and then. There would be no difficulty in assessing those premises for this purpose. He asked hon. and right hon. Gentlemen opposite, if they could not approve of this basis of assessing monopoly value, what basis would they suggest? They had repeatedly complained and had said they did not wish the owners of licensed premises to be left to the mercy of the local justices without knowing what the assessment would be and what they would have to pay. They had asked repeatedly that the trade should be clearly informed what was meant by monopoly value and what they had to provide against. The Government had in this clause submitted a practical method of assessing it.

*MR. YOUNGER did not think the hon. Gentleman's analogy between paying compensation and taking monopoly value was quite a fair one. He thought the Government had made a not unsuccessful effort to define in this clause what the monopoly value really was, but he thought it was unfortunate that the Government had not told the Committee before that the monopoly value was what it was now stated to be, and not what they had understood it to be from the right hon. Member for the Spen Valley and other supporters of the Bill. With regard to what the hon. Member had said on the subject of the difference between the assessable and the Schedule A rental being taken as the measure for compensation, he would only say that the hon. Member entirely forgot that in taking the monopoly value in twenty-one years he took that value for good and all, but in paying compensation he only gave fourteen years purchase and in some cases about four years—in the extreme cases fourteen years.

*MR. HERBERT SAMUEL: Subject to the modifications already announced consequential on the addition of seven years.

*MR. YOUNGER pointed out that he was allowing for that, and that this was a very different thing from taking the permanent value of the monopoly as the hon. Gentleman proposed to do. They were perfectly at liberty, if they chose, to argue that the scheme sketched out in this Amendment was a fair basis for estimating the monopoly value, and yet to say that the same basis as applied to compensation when taking the whole business was not fair. He agreed that if they took twenty-five years as a basis upon which to pay compensation it would be equal treatment as far as that part of the value was concerned. If they took this basis as the value for monopoly then they must give twenty-five years' purchase as the value for compensation before they could claim equality. He was bound to say it was an extremely difficult thing to give a proper definition of monopoly value. They did not want to include the tenant's goodwill and other considerations of that kind rightly chargeable under Schedule D. What they wanted to get at was the monopoly value of the licence in whosever hands the house might be; that was to say, to get rid of the goodwill and take the local element only—the passing trade. In Scotland this question had been dealt with for many years under their system of valuation, and he did not think the great difficulties suggested by his right hon. friend were altogether likely to arise in valuing under Schedule A. In Scotland at this moment these values were for the most part fixed by assessors appointed by Somerset House. The Government surveyor of taxes was usually appointed, and in valuing public-houses he invariably added a certain amount for the monopoly value. There was no actual system by which it could be accurately arrived at, but he believed that generally it was based on the quantity of spirits which the publican had sold in the course of the year. On that the assessor made his calculations, which enabled him to find out in a rough and ready way what the monopoly value of those premises might be. There were, of course, disputes. The publican always considered that he was too heavily rated, and the assessor was always trying to put on a little more. They very often found great difficulty in dealing with these cases in Court, and in deciding between the two. It often appeared to the assessor that he was entitled to place a certain extra valuation on the premises for reasons which did not always appeal to the Court. But they had the local county and borough councillors who were members of the Valuation Committee, and sat as a Valuation Appeal Court every year. They dealt with these appeals as with other objections to assessments which had been made by the Government assessor, and he had never known a case in which the Inland Revenue had refused to accept the decisions of that particular Court on disputed points as between the assessor and the publican.

He should imagine that it would be the same in England if that system were adopted here, and that it would work fairly smoothly, and with an amount of fairness equal to that which had been experienced in Scotland, though the system was not unattended with difficulty, and where, as his right hon. friend the Member for Dublin University had pointed out, they had the varying conditions which attached to these licences under Clause 20, probably differing in districts within the same area in which the assessor resided, they must inevitably have added difficulties in making the valuation. For himself, he thought that this would not yield nearly such approximately accurate results as those which they arrived at in Scotland. Of course, in that country they dealt purely with statutory obligations or restrictions, which were identical wherever they met them; they did not vary in any way. This clause had been suddenly sprung upon them, and it was extremely difficult to commit one's self to any precise opinion on the subject. Personally, he must excuse himself from doing so. He should like to have some time to look into the various intricate points, particularly after the Prime Minister's explanation of some of them. No doubt the right hon. Gentleman's explanation was very lucid, although it was somewhat difficult to follow him in the matter. Therefore, he hoped that they would not be expected to commit themselves to-night as to whether this was the best possible solution of the difficulty. If the time were to be extended in such a way and under such conditions as to make it palatable, then he thought that there was a method sketched out in this Amendment which probably afforded as good a chance of defining what might reasonably be called monopoly value, as any other system he could, for the moment, suggest. Therefore he was prepared to give it a friendly consideration, though it in no way altered his objection to the method and manner of taking this monopoly value from those who now possessed it.

*MR. LUPTON (Lincolnshire, Sleaford) said he took rather a different view of this clause and the Amendment of the Solicitor-General from that taken by other speakers, who had discussed the matter entirely from the point of view of the interests of the trade. He regarded the clause as one of the most important in the Bill. The very first time he read the measure through he thought he saw in this clause a possibility of making the measure a real temperance proposal. In the giving of monopoly value they had the means of making a temperance measure. Let him give an instance of what he suggested. Take the case of a public-house which was adjoining a colliery. Without a licence it would be worth £100 a year, and with a licence £500, leaving £400 a year as the monopoly value. According to the proposal of the Government, the Inland Revenue Commissioners would assess the monopoly value at £400, and that would be the amount to be paid annually for the licence. It would be all very well to go upon that basis, if that were all that had to be considered. But this Bill was framed for the purpose, as he understood it, of reducing the consumption of strong drink.

SIR F. BANBURY (City of London): No.

*MR. LUPTON: The hon. Baronet will pardon me. That is the intention.

SIR F. BANBURY: Ah, the intention!

*MR. LUPTON believed that was the intention sincerely held by the Government and by the Liberal Party. If the Inland Revenue had assessed the monopoly value at £400, then what must be the object of the licensee? It would be to sell as much strong drink as he could to recoup him that £400 and leave a profit. Was that the object of the Government, to bind every tenant to sell the maximum possible of strong drink? Let the tenant be as good as a man could be, it was ordinary human nature that he should seek to recoup himself, and they could not expect him to work day after day in a manner contrary to his interest. He would sooner give up the business altogether. This man had to pay £500 a year rental before he could get anything for himself and family. Could they not so arrange this monopoly value of £400 that it would be to the interest of the tenant to sell as little strong drink as possible, or at any rate, not to seek to sell as much as possible? The Inland Revenue Commissioners might say to the tenant that he could afford to pay £400 a year monopoly value, if he conducted the house in the ordinary way, and, therefore, it called upon him to pay £100 down on account. The Commissioners, having assessed the monopoly value at £400, would roughly estimate the amount of wine, beer and spirits that would be sold, and knowing the percentage of proof spirit contained in each of those drinks would be able to estimate approximately the total amount of proof spirit which the licence-holder was expected to sell in a year. If in this particular case the estimated amount of proof spirit was 8,000 gallons, they would divide the £400 annual monopoly value by that number of gallons, and in this case the monopoly value per gallon would work out at 1s. a gallon on the proof spirits which had been sold. (The monopoly value would not be the same for each house, but would vary according to the situation and other circumstances, and the monopoly value per gallon of proof spirit would vary with each house, from a great variety of causes, and would have to be roughly estimated for each house; though in practice it would work out that similar houses would be grouped at the same rate.) But at the end of the year, it might be found that the tenant instead of having sold enough spirit to make up £400 at the above rate of 1s. per gallon, had sold only enough to make up £200. Now he suggested that what the Commissioners should do in those circumstances was to reduce the monopoly value to £200. Thus, instead of being compelled to sell a great amount of strong drink, the tenant would be benefited, by having sold teetotal drinks—tea, coffee, and mineral waters—by having to pay only half the provisionally estimated monopoly value. If the Government would adopt that view he thought it would be very easy to make provision for it. But suppose the publican took the other line, and sold as much strong drink as possible, say enough to make up £600 at the same rate per gallon, then they would increase the monopoly value, and make him pay £600. He knew it was possible to raise objections of detail, but provision could easily be made where there was a will and a thorough desire to effect the object. By his proposal the publican who sold a great amount of strong drink would be penalised, while the publican who sold very little strong drink would be benefited by the reduction of the monopoly value from £400 to £200 or whatever the difference might happen to be. If he sold 8,000 gallons of proof spirit he paid £400. If he sold twice that amount he paid £800, and if he sold half he paid £200. The amount he paid depended on the amount of alcohol that he sold. Alcohol was a poison, as was admitted by scientific men, the consumption of which they wished to reduce. The only way, in his opinion, to reduce the consumption was by educating the people as to what were and what were not poisons. Who was the greatest educator in a district? The public-house keeper, far more than the clergyman and schoolmaster. What was the use of having the best schoolmasters and lecturers when they had at the public-house the most influential man in the district, whose living depended and was made to depend upon the amount of strong drink that he sold? By this Bill they were going to charge him monopoly value and unless he sold enough alcoholic poison to cover this amount he would be ruined. How could they expect that man to instruct the people who came to his house that strong drink was a poison? He could not do it, and the effect of monopoly value payments, unless modified as he (Mr. Lupton) suggested, would be to cause him to increase the sale of drink because they gave him the very strongest motive that could possibly actuate him. What could be done by a public-house keeper who did not want to force the sale of drink in an unreasonable way, who did not want to make people drunk up to the verge of police drunkenness so that he just escaped having a note made on his licence? The average public-house keeper was just as good as any man in that House. They wanted to conduct their business to the honour of man and the glory of God if they had the chance Hitherto they had not had the chance. This was the only way in which they could possibly have a chance, to let the monopoly value that they paid depend on the amount of alcohol that they sold. It might be asked what evidence there was to show that this would have a good effect. He would take a case from South Wales. The laws were identical in Cardiff and Swansea as to the mode in which drink was sold and yet the convicted drunks in Swansea were in 1906 more than three times the convicted drunks in Cardiff, and the population of Cardiff was nearly twice the population of Swansea. Therefore, the ratio of drunks in Swansea per 10,000 of the population to those in Cardiff was six to one, with the same laws, much the same business, the same character of population, if anything a greater proportion of seafaring men in Cardiff. That showed what a difference might be effected by some slight difference in the mode of managing things where personal influence came in. He had been told the reason was this, that in Cardiff the police and the public-house keepers worked together. The police helped the public-house keeper and warned him at the entrance to his house of any man who was likely to be made drunk by being served. That was done in the friendliest possible way, and it enabled them to keep down the number of drunks to that small figure. That showed what personal influence was. Personal influence in each public-house would have very great effect in increasing or diminishing the sale of strong drink, in making the people who attended the public-house beastly drunkards or in making them reasonable citizens getting a reasonable amount of refreshment in an honourable manner. It was far better than any attempts to degrade the public-house. They had in the village three Government institutions, the church, the school, and the public-house. The last and most influential was to be made a degraded place because they were going to make it a condition of the licensee holding his licence that he sold so much strong drink a year, and unless he was going to ruin himself that was what he would have to do. He hoped His Majesty's Ministers might take this matter into serious consideration and introduce some Amendment into the Bill. He knew exactly what would happen. As soon as they went to their officials they would be told that what he was proposing was impossible. He never knew a good scheme yet but what the Government officials said it was impossible. He would be told that all sorts of difficulties would be created, but if they were going to be stopped by difficulties and frightened by every lion in the path they would never get on. But the question was, was the Government going to face this really serious proposition and make it the interest of every keeper of a licensed house to reduce the amount of alcohol he sold.

*MR. REES (Montgomery Boroughs): On a point of order, may I ask whether the hon. Member is speaking to his own Amendment or to that of the Solicitor-General.

*THE DEPUTY - CHAIRMAN (Mr. CALDWELL, Lanarkshire, Mid.): The hon. Member's own Amendment will be superseded by the Solicitor-General's Amendment and hence be out of order, so that he is quite entitled to discuss his alternative scheme in opposition to the proposal of the Solicitor-General.

*MR. LUPTON said the point on which he was speaking when he was interrupted had escaped his mind. That was one of the effects of interruption—that it rather lengthened debate than shortened it. The public-house keeper who was in a position to affect the sobriety of his district could gradually lessen the amount of alcohol in the beer year by year until it went down to the minimum and could encourage the sale of light beers. He was aware that the Inland Revenue would object to that because it derived a revenue proportionate to the amount of alcohol sold. They had one Department in the Government bringing in a Bill intended to reduce the sale of alcoholic drink and another Department which would resist that because it would reduce revenue, and a reduction in revenue was a fearful thing for the Chancellor of the Exchequer to face. It was only by the very strongest influence and pressure of Members who really wanted temperance that they would overcome the difficulties brought forward by the Inland Revenue. If the public-house keeper sold whiskey with too much water in it he was prosecuted for adulteration because he mixed with an admitted poison the purest and best element in Nature. That was what the Revenue Department of the Government did towards temperance. He had been told that water must not be mixed with beer because it made a horrid concoction. He did not drink much beer but when he did he found it was greatly improved by being diluted with twice as much water as beer.

THE DEPUTY-CHAIRMAN said the hon. Member was now going beyond the scope of the Amendment.

*MR. LUPTON said they must put pressure on the Government to introduce a clause on the Report stage to make the monopoly value dependent on the amount of proof spirit which was sold.

MR. SAMUEL ROBERTS said he would like to ask the Solicitor-General a question on the latter part of the Amendment at the end of line 32. That provision was intended to meet the promise which the Prime Minister gave him in July when he moved an Amendment to Clause 1 to exclude the post-1904 licences from the operation of the reduction scheme. The Prime Minister said he would endeavour to make the best provision he could to meet the justice of the case, and he said—

> "I will introduce words to make it impossible for these licences to be selected."

That was, to be selected for extinction. That had not been met. The hon. and learned Gentleman had put down an Amendment attempting to meet it, but it did not do really because these licences could well be extinguished under the reduction scheme, and he provided in this Amendment that compensation should be given to them. He failed to understand on what principle the Government proposed to compensate these licence-holders if their licences were taken away. Most of them had paid large sums—one £9,000 and several over £6,000—for an annual licence on the faith that it would not be taken away. He hoped that the Government would give them a further opportunity of discussing this question, because the Amendment they were discussing had only been put down that morning. The terms of the Amendment had been altered and this had made a change in the measure of compensation to be paid. What did the Government mean by the words: "If the amount required to be paid in any year on account of monopoly value is exceeded the monopoly value for a year"? That passed his comprehension. In consideration of some of the new licences being granted old licences had been surrendered in many cases. He hoped it would be taken into consideration that those people had paid the monopoly value down on the faith that their licences would be continued. They would not have paid so large a sum of money if they had felt that they would only have the licence for one year. Where a man carried on his house properly it would be an injustice to take his licence away without paying him full compensation.

SIR S. EVANS said he did not want to divert the attention of the Committee from the main question, but perhaps it would be convenient for him to deal with the point raised now. The Prime Minister was most anxious to fulfil not only in the spirit but in the letter any pledge he had given. On this matter he had consulted him personally. The hon. Member for Sheffield communicated with him with reference to the Amendment on the Paper and requested him to substitute the word "shall" for the word "may." He had made that change and that was the only alteration in the Amendment. This provision had been made in fulfilment of the Prime Minister's pledge. The Commissioners had to decide whether the amount paid exceeded the monopoly value for the year. If not, they had not made any over-payment, because they had had the benefit of it. But where the amount was shown to the Commissioners to be such as obviously to exceed the monopoly value for the year, then that must be taken into consideration, and they would allow the repayment of such proportion as they thought just, having regard to the time which had elapsed. Under this provision the Commissioners would have regard to all the circumstances and would consider the amount exacted in the first place as well as the period of time for which the licence had been in existence.

Mr. SAMUEL ROBERTS asked how they were going to ascertain what the annual value was when the sum had been paid down in a large lump sum.

Sir S. EVANS replied that that was a problem which the Commissioners would have to decide. Let them suppose that £4,500 had been paid. It was obvious that was more than the monopoly value, and they would have to find out how much was the fair monopoly value per annum of the house. They would then decide how much of the original sum should be returned.

Sir F. BANBURY said the hon. Member for Sleaford had been misled by the impression that the object of this Bill was to promote temperance. He advised him to correct that obvious error, and then he would understand better the proceedings of the Government. He quite agreed with the Under-Secretary when he said that the demand from that side of the Committee had always been: "Let us know what the monopoly value is going to be and on what principle the different authorities are going to assess us, so that the licence-holder and the brewer may know where they stand." He acknowledged that they ought to be obliged to the Government for having introduced this clause. But whilst he admitted that, he did not think it followed that they were bound to believe that the manner in which the Government were going to define monopoly value was the right one. He had a great belief himself in the Inland Revenue authorities, and he did not in the least wish to throw any doubt upon their *bona fides* and capability. When they said they desired that a fixed principle should be arrived at to ascertain monopoly value the justices could do it upon a fixed principle, and there was some ground for the argument that the justices would be better able to find out what was just in each case than the Inland Revenue authorities sitting in London. Although he had had the advantage of hearing every word the Prime Minister said on this question he did not fully understand the effect of this clause. Take as an illustration a house the ordinary value of which under Schedule A would be £100 a year, and its value as a licensed house, £150 a year. The difference between £100 and £150 would be the monopoly value per annum, or £50 per year. He wanted to know whether the licence-holder would have to pay twice over when assessed for income-tax or rates upon that value. He understood the Prime Minister to say he would not have to do that, and that in future the real value would be £150. Consequently he would only be assessed at £100 because he would have paid £50 to the Inland Revenue as monopoly value. If that were so, it was evident that the local authorities would suffer a diminution in the rateable value of their areas. That ought to be considered when they remembered that although at the present moment this clause would only apply to new licences, at the end of twenty-one years it would apply to all the licences existing in the kingdom. He would like to know what was going to happen supposing existing licence-holders said: "This monopoly value is too great and we are not going to pay it." His recollection was that on the Second Reading of the Bill the Under-Secretary said that the result of this measure would be to bring in an abounding revenue to the State. These people paid the monopoly value, but if, because the monopoly value was fixed in this way, they did not pay, the State would not get it. What they ought to do in this matter was to act on ordinary business principles. In that case, when a licence fell in they would practically put it up to auction and say—What will you pay for this licence? That would be a business-like way of dealing, and they would avoid the multiplication of officials which must otherwise take place. It must be remembered that, in twenty-one years there would be something like 60,000 houses to be dealt with, and the revenue authorities would have to go into all the circumstances of the cases. If they said to the justices that they could ascertain the monopoly value by putting a licence up by auction, the justices would be able to sell it to the highest bidder. Then if a buyer paid too much for it, he would not be able to blame anyone. That was his look-out. They would thus avoid all the trouble and expense which would be occasioned by the method proposed. He did not know what line hon. Members on that side of the House would take in regard to the Amendment. It was rather difficult to take any given line on an Amendment which was only brought forward yesterday, and only appeared on the Paper that morning. It was now eight months since the Second Reading of the Bill was passed, and it was rather curious that the Government had not made up their minds during the interval on this matter. It put the Opposition in rather an awkward position to discuss a new clause on an important subject at such short notice. His own idea was—when in doubt vote against the Government. In the circumstances, therefore, he would vote against the Government.

*MR. CLAVELL SALTER said he wished to say a word on a matter on which the Solicitor-General had addressed the Committee. There were two classes of cases where hardship might arise. There were those licence holders who had practically purchased their licences for cash, and those who had acquired licences by cash value by the surrender of existing licences. He thought the Prime Minister had fairly met the case of those who had purchased for cash, but from a study of the Amendment it did not appear to him that the other cases had been fairly met. The cases where there had been surrenders were very numerous. As to the main question before the Committee, namely, the monopoly value, he agreed that they should not desire to make too much of the grievance, but it did seem strange and most unfortunate that they should be called upon to discuss a matter of extreme difficulty and complexity at such exceedingly short notice. He heard with pleasure the promise of the Prime Minister to give a further opportunity for the consideration of the subject. At present it was really impossible for anyone to do more than offer a few disjointed observations, mainly in the nature of inquiry, as to the important new machinery which had been suddenly placed before the Committee. They were all agreed that the monopoly value must be ascertained and paid in certain cases. They all desired that the real monopoly value should be ascertained as distinct from any other items of value, and further that the work should be done by a competent authority. The question was whether the authority proposed by the Government was better than the existing authority. It appeared to him quite clear that Section 4 of the Act of 1904 was not expressly repealed. Under that section the justices were not only entitled but bound to exact as the condition of the granting of a new licence payment of the monopoly value. The justices were to discharge the function of assessing that value. The justices might assess the market value of a house at £50, but the Commissioners of Inland Revenue might take the view that the value was £75. That appeared to him to be a difficulty, and he wished to have some light upon it from the Solicitor-General. He wished to know how far Section 4 of the 1904 Act was to be repealed, whether the Commissioners of Inland Revenue were substituted for the justices, and whether there was in future to be a different method of assessment. As to the authority to make the assessment, he confessed he had a preference for the justices, who had local knowledge. At present the plain and simple plan followed by the justices was to make two assessments *ad hoc*, one representing the value of the premises licensed, and the other the value unlicensed. The difference was the amount they had to arrive at. Under the new machinery the Commissioners of Inland Revenue would not have to make two assessments of their own. They would find one assessment in existence, and they were to take that, and then make another assessment for the purpose of comparison. The assessment which the Commissioners would find in existence would not be a real and reliable assessment made *ad hoc*. It appeared to him that there might well be cases in which the Inland Revenue Commissioners might not be able to take the existing assessment at all. Take the case of a licence current for many years which would become a new licence at the expiration of twenty-one years, and suppose that in the granting of the licence for the first year after the time-limit the justices imposed new and onerous terms which would reduce the value of the licence, the Commissioners could not take that which they had found in years past, for the new terms would have greatly reduced the value. They would have to make two assessments of their own for this purpose. He did not in the least understand the manner in which the Commissioners were going to work the new machinery. It might be a familiar method in Scotland, but it had not been followed hitherto in this country.

SIR S. EVANS said the Prime Minister was anxious that the case put forward by the Opposition should be fully met. He therefore was quite willing to modify his Amendment to the clause which stood on the Paper, empowering the Commissioners to allow the repayment of such portion, if any, of the sum paid on account of monopoly value as they thought just, having regard to the time which had elapsed since the original grant of the licence, by the addition of the words "and to all the circumstances under which the amount was fixed."

MR. WYNDHAM said they were obliged to the hon. and learned Gentleman for the concession. But they thought that, as further words were to be added to what was admittedly a new clause put down by the Government, the period at present fixed for the Report stage should be enlarged in order that it might be adequately considered. Was he to understand that the right hon. Gentleman had promised to give a greater period of time for the Report stage.

MR. ASQUITH replied in the negative.

MR. WYNDHAM appealed to the right hon. Gentleman to say whether they were not entitled to ask for some further time to look at the fence before they took this leap.

*MR. CAVE said they were now dealing with a clause connected with those parts of the Bill which he had looked upon as involving confiscation, viz., the time-limit clause and that regarding the reduction of licences. He thought this Amendment made the element of confiscation stronger than it was in the clause as originally drafted. He said that for two reasons. To begin with, it defined the monopoly value. They had been told by the Government on the first stage of the Bill that there was no intention on their part to exact as monopoly value the value of the goodwill; but this definition did give the State the goodwill attached to the public-house. Monopoly value was to be the difference between the assessment of the house under Schedule A as licensed, and the assessment under Schedule A without a licence. The Under-Secretary in a very cogent argument on Friday last had assured the Committee that the Schedule A assessment included the local goodwill of the house, and the value of the tie. It was true that the assessment was not always rightly made in that respect, for in some cases the assessment did not include the goodwill, but he was disposed to agree with the Under-Secretary that Schedule A ought to include the local goodwill. Therefore the Government were going to take the annual value of the house and the goodwill, to deduct the house without the goodwill, and to exact the difference as monopoly value. Did it not follow that they were going to take the yearly value of the goodwill as monopoly value? Again, they were going to re-estimate every year, so that as the goodwill grew, as the capital and energy which the licensee put into the business increased, so the monopoly value to the State would also increase. That was bringing about the very thing he ventured to predict on the Second Reading. The intention was not merely to take the monopoly value of the licence but the profits of the house as well. The second objection he took to the Amendment was that under the existing law monopoly value was estimated by an impartial authority. The question being between the licensee or the house-owner and the State, an impartial tribunal was put in between the two, the justices, who might be trusted to make a fair and impartial estimate. But by the Amendment the Government were setting up the officers of the Inland Revenue themselves as a tribunal to assess the monopoly value which was to come into the revenue. In other words, they were empowering those officials to fix the sum to be paid into their own pockets; they were making them the judges in their own cause.

He regarded the change made by the Amendment as of a very serious nature indeed. He would not go into the old controversy about the justices. The Government were always saying that the justices were an impartial and independent authority and might be trusted to do their duty; but here they took out of their hands something which they were quite competent to do, and which they had already done perfectly fairly; and put it into the hands of an authority which, from the public point of view, had the greatest possible interest in making the monopoly value as high as possible.

MR. ASQUITH: Will the hon. and learned Gentleman tell us to whom the monopoly value now goes?

*MR. CAVE: The monopoly value for new licences goes into the public pocket.

MR. ASQUITH: But into what public pocket?

*MR. CAVE said he supposed the right hon. Gentleman meant that it went indirectly into the county fund. But most people knew that the justices had no control over the county fund. The county fund was under the control of the county council, and it was news to him to hear it suggested that the justices had any interest in increasing it. The county council was wholly independent of the licensing authorities, and consisted of persons, most of whom were not justices.

*MR. BARNARD: Who pays the clerk of the peace?

*MR. CAVE said he hoped he had made his point quite clear and he strongly pressed his friends to vote against the Amendment. The more they looked into it the more they would see that the Amendment would make a principle, already vicious enough, more vicious still, and increase the hardship to the tenant.

*MR. J. M. HENDERSON (Aberdeenshire, W.) wished to say a few words in regard to monopoly value. What was running in the minds of the hon. and learned Gentleman and of the brewers was, first of all, the amount of compensation that would have to be paid them; and secondly, the monopoly value they would have to pay. Under the Act of 1904, the hon. and learned Gentleman said that the monopoly value was arrived at by assessment. It was not done by assessment; the monopoly value for a new on-licence was settled by the Committee after hearing sworn evidence of value. The monopoly value which the licensing justices had charged had been the most extravagant they could possibly fix; so much so, that the number of licences granted during the past few years had been very small. A clerk to one of the licensing justices had told him that in his district only four new licences had been taken up, on the ground that the monopoly value attached to new licences by the present justices had been so exaggerated as to put a prohibitive price upon them. Of course, the hon. and learned Gentleman opposite said that this money was not taken by the licensing justices, but, like the motor-car fines in the Kingston Division of Surrey, it went to increase the county fund. However, what he was anxious to have was that just as the compensation should be reasonable and fair, so the monopoly value should be reasonable and fair. A true definition of the monopoly value as he held it to be was this, the difference of the profits which the licensee would make by reason of the fact that the number of people in the trade would be limited, and the profits which he would make in an ordinary business. Supposing a man could by ordinary trade make £500 a year, and supposing he got a licence, and by reason of the restricted number of the licences he could make £1,000 a year, then, according to one view £500 was the monopoly value. But he maintained that that was not the case, because it did not take into account the additional amount of labour and capital which the man put into the business to earn the additional £500. Therefore, the monopoly value must be held to be something less than £500. When it was fully and fairly considered it ought not to be prohibitive. He believed that Schedule A would give a very much less monopoly value than under the present method of arriving at value. They all knew what valuers were. If they were going to value up, they valued up; if they were going to value down, they valued down. They could get from any valuer any value they liked, and from a brewer's valuer even more so. Old-established hotels like the Savoy and the Carlton paid £60 a year, but for new hotels the valuation of the monopoly value was fixed at 1,000 guineas. That was the new method by which the money went into the funds of the county council. He wanted the money to go to the State. The hon. and learned Gentleman said that if they were going to charge such monopoly values it would be nothing else than robbing the publicans. He agreed; and just as he protested against the system of compensation adhered to lately, so he deprecated the system of overvaluing the monopoly value. He was quite sure that taking the new value on Schedule A was not a perfect system, but it would be much less onerous to the new licensee after fourteen years than the present extravagant methods which had been adopted by the licensing justices.

SIR E. CARSON said he had already spoken at an earlier period of this debate when he explained to the Committee the great difficulty there was in understanding what was the full effect of the clause they were then considering. He ventured to ask questions which might in his absence have been answered, but he had been unable to find out from his friends what the answer was. The question he asked was this. At the present moment under the procedure of the Act of 1904 the magistrates had the power of attaching any conditions they liked to the granting of a new licence, and they had the power of fixing the monopoly value. Anybody must see that a great deal of the monopoly value must depend upon the conditions made. For instance, the justices might make a condition that the house was not to be open on Sundays, and there would be a six-day licence or they might restrict the hours on Saturday when there would only be a partial six-day licence. The monopoly value in such cases must be entirely different from what it was in the case of a full licence. The question he desired answered was this ——

*MR. HERBERT SAMUEL said he had answered it.

SIR E. CARSON said he was sorry. He hoped the hon. Gentleman would pardon his putting it again. The justices when they heard the matter had before them all the materials, they knew the district, and had some idea of the probabilities of the amount of trade which would be conducted, the effect of the conditions they themselves attached, and they had the matter argued before them, on the application for a new licence. The question he wished an answer to was this: Would there be any hearing before the Inland Revenue Commissioners; or would they, sitting in London, be the persons who were to make this valuation, having regard to the conditions attached by the magistrates, without any local knowledge whatever?

*MR. HERBERT SAMUEL said he had answered the first part of the right hon. Gentleman's question shortly after he spoke, but unfortunately he had left the House. Of course, the Inland Revenue Commissioners would take into account all the conditions attached to the licence. Any restrictions which affected the rental value would be taken into account under Schedule A. There would be no difference in the procedure from that under the Act of 1904.

SIR E. CARSON: Will there be a hearing?

MR. ASQUITH: The same as under the Act of 1904—neither more nor less.

SIR E. CARSON said it could not be the same. There was nothing in the new clause setting up any hearing before the Inland Revenue, and he had never heard of any hearing before them before. Was there to be one or was there not?

MR. ASQUITH: The Inland Revenue will exercise exactly the same jurisdiction and proceed by the same rules and methods as they do under the Act of 1904 in assessing compensation.

SIR E. CARSON said that that surely, with great respect to the right hon. Gentleman, was really misleading the House. It was not a question of compensation at all. It was a question of taking away a hearing that already existed, and of whether another was to be substituted. It was perfectly plain from what the right hon. Gentleman said that there was to be no hearing whatsoever.

MR. ASQUITH remarked that he had not said anything of the kind. The problem and the conclusion to be arrived at were precisely the same. In regard to the methods of procedure, if it were shown that persons had not a real opportunity of a hearing, he would consider whether or not the procedure ought to be modified.

SIR E. CARSON said that what the right hon. Gentleman had said amounted to this—that at all events, up to the present, there was no hearing in the Bill. How on earth could the Inland Revenue, who did not know the local circumstances, who had no arguments before them, who did not know what the full effect of the conditions attached by the magistrates might be, and who did not know what effect those conditions would have on the value of the licence and on the trade, properly assess the monopoly value that was to be paid? What possible reason had been shown for taking away from a judicial tribunal such as the justices were, and who had to hear the whole case in any circumstances, the power of deciding the one essential matter when they were granting the licence—namely, on what terms they were to grant it ? They had to fix the conditions, they knew the local situation and the local effect of what they were doing. The Government said they might decide all that on the one hand, but were not fit to say what value was to be paid in regard to the very terms they were imposing.

*Mr. CAVE asked the Prime Minister whether, as the Act of 1904 gave to any party aggrieved by the decision of the Inland Revenue Commissioners on the question of compensation an appeal to the High Court, he would, in this Bill, give to a person aggrieved by the Commissioners of Inland Revenue on the question of monopoly value a similar appeal ?

Mr. ASQUITH : I will consider that.

Mr. A. J. BALFOUR said he did not wish to repeat arguments which had not been answered, and to which, he presumed, no answer was possible, but he did wish, in the three minutes that still remained to them, again to call the attention of the Committee to the conditions under which they were conducting their business. This was a matter which the Government might have laid before them any time since the Second Reading of the Bill, but not until the day itself were they allowed to deal with the problem. The result was that, when it did come on, and in the few minutes which were allowed to them to deal with the problem, questions of the most simple and elementary character were asked and no answer was forthcoming. And the only solatium, a word appropriate to this Bill, given them by the Government was that, out of the time already fixed and irrevocable and unalterable on the Report stage some fraction that ought to be devoted, and originally was intended to be devoted, to other questions was to be allocated to discussing the errors the Government had made in framing their Bill. He did not think any further comment was necessary.

Mr. ASQUITH thought a little more comment was necessary. The Committee had, ever since eight o'clock, been discussing this matter, and discussing it in very great detail. The Amendments he had put on the Order Paper, and on which the Committee were about to divide, were Amendments entirely in response to appeals made to him by hon. Gentlemen opposite. The response to those Amendments was not such as to encourage the Government in future to make further Amendments.

Question put.

The Commitee divided :—Ayes, 126 ; Noes, 318. (Division List No. 321.)

AYES.

Anstruther-Gray, Major
Arkwright, John Stanhope
Aubrey-Fletcher, Rt. Hon. Sir H.
Baldwin, Stanley
Balfour, Rt Hn. A. J. (City Lond.)
Banbury, Sir Frederick George
Baring, Capt. Hn. G. (Winchester
Barrie, H. T. (Londonderry, N.)
Beach, Hn. Michael Hugh Hicks
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bridgeman, W. Clive

Sir E. Carson.

Bull, Sir William James
Butcher, Samuel Henry
Campbell, Rt. Hon. J. H. M.
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Chamberlain, Rt Hn. J. A. (Worc
Clark, George Smith
Clive, Percy Archer
Cochrane, Hon. Thos. H. A. E.
Collings, Rt. Hn. J. (Birmingh'm
Courthope, G. Loyd
Craig, Charles Curtis (Antrim, S.
Craik, Sir Henry
Cross, Alexander
Dixon-Hartland, Sir Fred Dixon
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Duncan, Robert (Lanark, Govan
Faber, George Denison (York)
Faber, Capt. W. V. (Hants, W.)
Fardell, Sir T. George
Fell, Arthur
Fletcher, J. S.
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Gooch, Henry Cubitt (Peckham)
Goulding, Edward Alfred
Gretton, John
Guinness, Hon. R. (Haggerston)
Guinness, W. E. (Bury S. Edm.)
Haddock, George B.
Harris, Frederick Leverton
Harrison-Broadley, H. B.
Hay, Hon. Claude George

Heaton, John Henniker
Helmsley, Viscount
Hill, Sir Clement
Hills, J. W.
Hope, James Fitzalan (Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Joynson-Hicks, William
Kennaway, Rt. Hon. Sir John H.
Kerry, Earl of
Keswick, William
Kimber, Sir Henry
King, Sir Henry Seymour (Hull)
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Lee, Arthur H. (Hants, Fareham
Lockwood, Rt. Hn. Lt.-Col. A. R.
Long, Col. Charles W. (Evesham)
Long, Rt. Hn. Walter (Dublin, S.)
Lonsdale, John Brownlee
Lyttelton, Rt. Hon. Alfred
MacCaw, William J. MacGeagh
M'Arthur, Charles
Magnus, Sir Philip
Marks, H. H. (Kent)
Mason, James F. (Windsor)
Meysey-Thompson, E. C.
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
Oddy, John James
Parker, Sir Gilbert (Gravesend)
Parkes, Ebenezer
Pease, Herbert Pike (Darlington
Percy, Earl
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Ratcliff, Major R. F.

Rawlinson, John Frederick Pee
Remnant, James Farquharson
Renton, Leslie
Renwick, George
Roberts, S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Sassoon, Sir Edward Albert
Smith, Abel H. (Hertford, East)
Smith, F. E. (Liverpool, Walton)
Smith, Hon. W. F. D. (Strand)
Stanier, Beville
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.)
Stone, Sir Benjamin
Strauss, E. A. (Abingdon)
Talbot, Lord E. (Chichester)
Talbot, Rt. Hn. J. G. (Oxf'd Univ.
Thomson, W. Mitchell- (Lanark)
Thornton, Percy M.
Tuke, Sir John Batty
Walker, Col. W. H. (Lancashire)
Walrond, Hon. Lionel
Warde, Col. C. E. (Kent, Mid)
Whitbread, Howard
White, Patrick (Meath, North)
Willoughby de Eresby, Lord
Wilson, A. Stanley (York, E.R.)
Winterton, Earl
Wortley, Rt. Hon. C. B. Stuart-
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE AYES—Sir Alexander Acland-Hood and Viscount Valentia.

NOES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Agar-Robartes, Hon. T. C. R.
Agnew, George William
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Asquith, Rt. Hn. Herbert Henry
Astbury, John Meir
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Beale, W. P.
Beauchamp, E.
Bell, Richard
Bellairs, Carlyon
Benn, Sir J. Williams (Devonp'rt
Bennett, E. N.
Berridge, T. H. D.
Bethell, Sir J. H (Essex, Romf'd
Bethell, T. R. (Essex, Maldon)

Birrell, Rt. Hon. Augustine
Black, Arthur W.
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Bryce, J. Annan
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cheetham, John Frederick
Churchill, Rt. Hon. Winston S.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)

Collins, Sir Wm. J. (S. Pancras, W.
Compton-Rickett, Sir J.
Corbett, C H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crooks, William
Crossley, William J.
Curran, Peter Francis
Dalmeny, Lord
Davies, David (Montgomery Co.
Davies, M. Vaughan (Cardigan
Davies, Timothy (Fulham)
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras, N
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dobson, Thomas W.
Duckworth, James
Duncan, C. (Barrow-in-Furness)
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne, Major E. Martin (Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)

Edwards, Sir Francis (Radnor)
Erskine, David C.
Esslemont, George Birnie
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Findlay, Alexander
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Glen-Coats, Sir T. (Renfrew, W.
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Guest, Hon. Ivor Churchill
Gulland, John W.
Gurdon, Rt Hn. Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardie, J. Keir (Merthyr Tydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Harmsworth, R. L. (Caithn'ss-sh
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey, W. E. (Derbyshire, N.E.
Harwood, George
Haslam, James (Derbyshire)
Haworth, Arthur A.
Hazel, Dr. A. E.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Holland, Sir William Henry
Holt, Richard Durning
Hooper, A. G.
Hope, W Bateman (Somerset, N.
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Isaacs, Rufus Daniel
Jacoby, Sir James Alfred
Jardine, Sir J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Sir D. Brynmor (Swansea
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lamont, Norman
Leese, Sir Joseph F. (Accrington
Lever, A. Levy (Essex, Harwich
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Rt. Hon. Thomas
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
Macpherson, J. T.
M'Callum, John M.
M'Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Mallet, Charles E.
Manfield, Harry (Northants)
Marks, G. Croydon (Launceston)
Marnham, F. J.
Massie, J.
Masterman, C. F. G.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Montgomery, H. G.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morton, Alpheus Cleophas
Murray, Capt. Hn. A. C. (Kincard)
Myer, Horatio
Newnes, F. (Notts, Bassetlaw)
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
Parker, James (Halifax)
Partington, Oswald
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Pearson, W. H. M. (Suffolk, Eye)
Perks, Sir Robert William
Philipps, Col. Ivor (S'thampton)
Philipps, Owen C. (Pembroke)
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Price, C. E. (Edinburgh, Central)
Price, Sir Robert J. (Norfolk, E.)
Priestley, Arthur (Grantham)
Priestley, W. E. B. (Bradford, E.)
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro')
Rees, J. D.
Rendall, Athelstan
Richards, Thomas (W. Monm'th
Richards, T. F. (Wolverh'mpt'n
Richardson, A.
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson, Sir G. Scott (Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rogers, F. E. Newman
Rose, Charles Day
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann, Sir C. E. (Manchester)
Scott, A. H. (Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Colonel
Shackleton, David James
Shaw, Charles Edw. (Stafford)
Shaw, Rt. Hon. T. (Hawick B.)
Sherwell, Arthur James
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Albert (Staffs, N.W.)
Stanley, Hn. A. Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Summerbell, T.
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Tennant, Sir Edward (Salisbury
Tennant, H. J. (Berwickshire)
Thomas, Sir A. (Glamorgan, E.)
Thomasson, Franklin
Thompson, J. W. M. (Somerset, E
Thorne, G. R. (Wolverhampton
Thorne, William (West Ham)
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Walters, John Tudor
Walton, Joseph
Wardle, George J.
Wason, Rt. Hn. E (Clackmannan
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
Whitehead, Rowland

Whitley, John Henry (Halifax)
Whittaker, Rt. Hn. Sir Thomas P
Wiles, Thomas
Wilkie, Alexander
Williams, Llewelyn (Carmarth'n
Williams, Osmond (Merioneth)
Williamson, A.
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE NOES—Mr. Joseph Pease and Master of Elibank.

And it being after half-past Ten of the Clock, the CHAIRMAN proceeded, in pursuance of the Order of the House of 17th July, successively to put forthwith the Question on the Amendments moved by the Government, of which notice had been given, and the Questions necessary to dispose of the Business to be concluded this day.

Amendments proposed—

"In page 14, line 30, to leave out the words 'for any year.'"

"In page 14, line 30, after the word 'value', to insert the words 'shall in every case of a new licence granted after the passing of this Act be determined by the Commissioners of Inland Revenue, and in the case of a licence not granted for a term.'"

"In page 14, lines 31 and 32, to leave out the words 'estimated by the licensing justices,' and to insert the words 'ascertained in accordance with this section, and, in the case of a licence granted for a term, shall be based on the monopoly value as so ascertained. The monopoly value shall be taken to be the sum by which, in the opinion of the Commissioners of Inland Revenue, the value of the premises, as adopted or estimated for the purpose of income tax under Schedule A, when licensed, and without taking into consideration any provisions for securing to the public the monopoly value, exceeds the value of the premises for that purpose when not licensed. Provided that in ascertaining the monopoly value of hotels or other premises where the value of the premises does not mainly arise from the sale of intoxicating liquor, any value of the premises other than that arising from the sale of intoxicating liquor shall be excluded from consideration.'"

"In page 14, line 31, to leave out the second word 'the,' and to insert the word 'a.'"

"In page 14, line 32, at end, to insert the words '(2) If a licence, granted before the passing of this Act as a new licence under Section 4 of the Licensing Act, 1904, but not as a licence for a term, is extinguished at any time during the reduction period, and the holder of the licence proves to the satisfaction of the Commissioners of Inland Revenue that the amount required to be paid in any year on account of monopoly value has exceeded the monopoly value for a year, and that the licence has not been extinguished on the ground of misconduct, the Commissioners shall allow the repayment of such portion, if any, of the sum paid on account of monopoly value as they think just, having regard to the time which has elapsed since the original grant of the licence. Any sum allowed shall be paid by the Commissioners to the holder of the licence, and shall be deducted from the next payment made out of the local taxation account to the council of the county or county borough who have had the benefit of the original payment.'"

"In page 14, line 33, to leave out the word 'on-licence,' and to insert the word 'licence.'"—(*Sir S. Evans.*)

Amendments agreed to.

Question put, "That the Clause, as amended, stand part of the Bill."

The Committee divided:—Ayes, 319; Noes, 127. (Division List No. 322.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Agar-Robartes, Hon. T. C. R.
Agnew, George William
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Asquith, Rt. Hn. Herbert Henry
Astbury, John Meir
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Beale, W. P.
Beauchamp, E.
Bell, Richard
Bellairs, Carlyon
Benn, Sir J. Williams (Devonp'rt
Bennett, E. N.
Berridge, T. H. D.
Bethell, Sir J. H. (Essex, Romf'rd

Bethell, T. R. (Essex, Maldon)
Birrell, Rt. Hon. Augustine
Black, Arthur W.
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Bryce, J. Annan
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cheetham, John Frederick
Churchill, Rt. Hon. Winston S.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W
Compton-Rickett, Sir J.
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crooks, William
Crossley, William J.
Curran, Peter Francis
Dalmeny, Lord
Davies, David (Montgomery Co.
Davies, M. Vaughan-(Cardigan)
Davies, Timothy (Fulham)
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras, N.
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dobson, Thomas W.
Duckworth, James
Duncan, C. (Barrow-in-Furness)
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne, Major E. Martin (Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Sir Francis (Radnor)
Erskine, David C.
Esslemont, George Birnie
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Findlay, Alexander
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Glen-Coats, Sir T. (Renfrew, W.)
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Guest, Hon. Ivor Churchill
Gulland, John W.
Gurdon, Rt. Hn. Sir W Brampton
Haldane, Rt. Hon. Richard B.
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardie, J. Keir (Merthyr Tydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Harmsworth, R. L. (Caithn'ss-sh
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey, W. E. (Derbyshire, N. E.
Harwood, George
Haslam, James (Derbyshire)
Haworth, Arthur A.
Hazel, Dr. A. E.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Holland, Sir William Henry
Holt, Richard Durning
Hooper, A. G.
Hope, W. Bateman (Somerset, N
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Isaacs, Rufus Daniel
Jacoby, Sir James Alfred
Jardine, Sir J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Sir D. Brynmor (Swansea)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster)
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Leese, Sir Joseph F. (Accrington)
Lever, A. Levy (Essex, Harwich)
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Rt. Hon. Thomas
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk Bg'hs)
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
Macpherson, J. T.
M'Callum, John M.
M'Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Mallet, Charles E.
Manfield, Harry (Northants)
Marks, G. Croydon (Launceston)
Marnham, F. J.
Massie, J.
Masterman, C. F. G.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Montgomery, H. G.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morton, Alpheus Cleophas
Murray, Capt. Hn. A. C. (Kincard
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
Parker, James (Halifax)
Partington, Oswald
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Pearson, W. H. M. (Suffolk, Eye)
Perks, Sir Robert William
Philipps, Col. Ivor (S'thampton)
Philipps, Owen C. (Pembroke)
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Price, C. E. (Edinb'gh, Central)
Price, Sir Robert J. (Norfolk, E.)
Priestley, Arthur (Grantham)
Priestley, W. E. B. (Bradford, E.)
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro')
Rees, J. D.
Rendall, Athelstan
Richards, Thomas (W. Monm'th.
Richards, T. F. (Wolverh'mpt'n)
Richardson, A.
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson, Sir G. Scott (Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rogers, F. E. Newman
Rose, Charles Day
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)

Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann, Sir C.E.(Manchester)
Scott,A.H.(Ashton-under-Lyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Colonel
Shackleton, David James
Shaw, Charles Edw. (Stafford)
Shaw, Rt. Hon. T. (Hawick B.)
Sherwell, Arthur James
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Albert (Staffs, N.W.)
Stanley,Hn.A.Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Summerbell, T.
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Tennant,SirEdward(Salisbury)
Tennant, H. J. (Berwickshire)
Thomas, Sir A.(Glamorgan, E.)
Thomasson, Franklin
Thompson,J.W.H.(Somerset,E
Thorne, G.R.(Wolverhampton)
Thorne, William (West Ham)
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Walters, John Tudor
Walton, Joseph
Wardle, George J.
Wason,Rt.Hn.E(Clackmannan
Wason,John Cathcart(Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker,Rt.Hn.SirThomasP
Wiles, Thomas
Wilkie, Alexander
Williams,Llewelyn(Carmarth'n
Williams, Osmond (Merioneth)
Williamson, A.
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J. (York.W.R.)
Wilson, John (Durham, Mid)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood,Rt.HnSirAlex.F.
Anstruther-Gray, Major
Arkwright, John Stanhope
Aubrey-Fletcher,Rt.Hon.SirH.
Baldwin, Stanley
Balfour,Rt.Hn.A.J.(City Lond)
Banbury, Sir Frederick George
Baring,Capt.Hn.G.(Winchester
Barrie, H. T. (Londonderry,N.)
Beach,Hn.Michael Hugh Hicks
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bridgeman, W. Clive
Bull, Sir William James
Butcher, Samuel Henry
Campbell, Rt. Hon. J. H. M.
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Chamberlain,Rt.Hn.J.A.(Worc
Clark, George Smith
Clive, Percy Archer
Cochrane, Hon. Thos. H. A. E.
Collings,Rt.Hn.J. (Birmingh'm
Courthope, G. Loyd
Craig,CharlesCurtis(Antrim,S.)
Craik, Sir Henry
Cross, Alexander
Dixon-Hartland,Sir FredDixon
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Duncan,Robert(Lanark,Govan
Faber, George Denison (York)
Faber, Capt. W. V. (Hants, W.)
Fardell, Sir T. George
Fell, Arthur
Fletcher, J. S.
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Gooch,Henry Cubitt(Peckham)
Goulding, Edward Alfred
Gretton, John
Guinness, Hon. R.(Haggerston)
Guinness, W. E.(Bury S.Edm.)
Haddock, George B.
Harris, Frederick Leverton
Harrison-Broadley, H. B.
Hay, Hon. Claude George
Heaton, John Henniker
Helmsley, Viscount
Hill, Sir Clement
Hills, J. W.
Hope,JamesFitzalan(Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Joynson-Hicks, William
Kennaway,Rt.Hon.SirJohn H.
Kerry, Earl of
Keswick, William
Kimber, Sir Henry
King,Sir Henry Seymour(Hull)
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Lee,ArthurH.(Hants,Fareham)
Lockwood,Rt.Hn. Lt.-Col.A.R.
Long,Col. Charles W.(Evesham
Long,Rt.Hn.Walter(Dublin,S.)
Lonsdale, John Brownlee
Lyttelton, Rt. Hon. Alfred
MacCaw, William J. MacGeagh
M'Arthur, Charles
Magnus, Sir Philip
Marks, H. H. (Kent)
Mason, James F. (Windsor)
Meysey-Thompson, E. C.
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
Oddy, John James
Parker, Sir Gilbert (Gravesend)
Parkes, Ebenezer
Percy, Earl
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Ratcliff, Major R. F.
Rawlinson,John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Renwick, George
Roberts,S.(Sheffield, Ecclesall
Ronaldshay, Earl of
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Sassoon, Sir Edward Albert
Scott, Sir S. (Marylebone, W.)
Smith,Abel H. (Hertford, East)
Smith,F.E.(Liverpool,Walton)
Smith, Hon. W. F. D. (Strand)
Stanier, Beville
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.)
Stone, Sir Benjamin
Strauss, E. A. (Abingdon)
Talbot,Rt.Hn.J.G.(Oxf'dUniv.
Thomson,W.Mitchell- (Lanark)
Thornton, Percy M.
Tuke, Sir John Batty
Valentia, Viscount
Walker,Col.W.H. (Lancashire)
Walrond, Hon. Lionel
Warde, Col. C. E. (Kent, Mid)
Whitbread, Howard
White, Patrick (Meath, North)
Willoughby de Eresby, Lord
Wilson, A. Stanley (York,E.R.)
Winterton, Earl
Wortley, Rt. Hon. C. B. Stuart-
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE NOES—Lord Edmund Talbot and Mr. Pike Pease.

Clauses 25 to 27 agreed to.

Clause 28 :

Question put, "That the Clause stand part of the Bill."

The Committee divided :—Ayes, 318 ; Noes, 128. (Division List No. 323.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Agar-Robartes, Hon. T. C. R.
Agnew, George William
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Asquith,Rt. Hn.Herbert Henry
Astbury, John Meir
Baker, Joseph A.(Finsbury, E.)
Balfour, Robert (Lanark)
Baring,Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beauchamp, E.
Bell, Richard
Bellairs, Carlyon
Benn, SirJ.Williams(Devonp'rt
Bennett, E. N.
Berridge, T. H. D.
Bethell,SirJ.H.(Essex,Romf'rd
Bethell, T. R. (Essex, Maldon)
Birrell, Rt. Hon. Augustine
Black, Arthur W.
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J.F.L.(Lancs., Leigh)
Bryce, J. Annan
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burt, Rt. Hon. Thomas
Buxton,Rt. Hn.Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cheetham, John Frederick
Churchill, Rt. Hon. Winston S.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins,SirWm.J.(S.PancrasW.)
Compton-Rickett, Sir J.
Corbett,C.H(Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crooks, William
Crossley, William J.
Curran, Peter Francis
Dalmeny, Lord
Davies,David(MontgomeryCo.)
Davies, M.Vaughan- (Cardigan)
Davies, Timothy (Fulham)
Dewar, Arthur (Edinburgh, S.)
Dickinson,W.H. (St.Pancras,N.
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dobson, Thomas W.
Duckworth, James
Duncan,C.(Barrow-in-Furness)
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne, MajorE.Martin(Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Sir Francis (Radnor)
Erskine, David C.
Esslemont, George Birnie
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Findlay, Alexander
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Glen-Coats, SirT. (Renfrew,W.)
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Guest, Hon. Ivor Churchill
Gulland, John W.
Gurdon,Rt.Hn.SirW.Brampton
Haldane, Rt. Hon. Richard B.
Harcourt,Rt.Hn.L.(Rossendale
Harcourt, Robert V.(Montrose)
Hardie,J.Keir (Merthyr Tydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Harmsworth,R.L.(Caithness-sh
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey,W.E.(Derbyshire,N.E.)
Harwood, George
Haslam, James (Derbyshire)
Haworth, Arthur A.
Hazel, Dr. A. E.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson,J.M.(Aberdeen,W.)
Henry, Charles S.
Herbert,Col. Sir Ivor (Mon. S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Holland, Sir William Henry
Holt, Richard Durning
Hooper, A. G.
Hope,W.Bateman(Somerset,N
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Goeffrey
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Isaacs, Rufus Daniel
Jacoby, Sir James Alfred
Jardine, Sir J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones,Sir D.Brynmor(Swansea)
Jones, Leif (Appleby)
Jones,William(Carnarvonshire)
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb,Edmund G. (Leominster)
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Leese,SirJosephF.(Accrington)
Lever,A.Levy (Essex,Harwich)
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Rt. Hon. Thomas
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, J.M.(Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
Macpherson, J. T.
M'Callum, John M.
M'Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Mallet, Charles E.
Manfield, Harry (Northants)
Marks,G.Croydon (Launceston)

Marnham, F. J.
Massie, J.
Masterman, C. F. G.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Montgomery, H. G.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morton, Alpheus Cleophas
Murray,Capt.Hn.A.C.(Kincard
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
Parker, James (Halifax)
Partington, Oswald
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Pearson,W. H. M.(Suffolk,Eye)
Philipps,Col. Ivor (S'thampton)
Philipps, Owen C. (Pembroke)
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Price, C.E. (Edinburgh,Central)
Price,Sir Robert J.(Norfolk,E.)
Priestley, Arthur (Grantham)
Priestley,W.E.B. (Bradford,E.)
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rea, Walter Russell(Scarboro')
Rees, J. D.
Rendall, Athelstan
Richards,Thomas(W.Monm'th)
Richards,T.F.(Wolverh'mpt'n)
Richardson, A.
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson,Sir G.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rogers, F. E. Newman
Rose, Charles Day
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann,Sir C. E.(Manchester)
Scott,A.H.(Ashton under Lyne)
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Colonel
Shackleton, David James
Shaw, Charles Edw. (Stafford)
Shaw, Rt. Hon. T. (Hawick, B.)
Sherwell, Arthur James
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Albert (Staffs, N.W.)
Stanley,Hn. A. Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Summerbell, T.
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Tennant,Sir Edward(Salisbury)
Tennant, H. J. (Berwickshire)
Thomas,Sir A. (Glamorgan, E.)
Thomasson, Franklin
Thompson,J.W.H.(Somerset,E.
Thorne, G.R. (Wolverhampt'n)
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Walters, John Tudor
Walton, Joseph
Wardle, George J.
Wason,Rt.Hn.E.(Clackmannan
Wason,John Cathcart (Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker,Rt.Hn.SirThomasP.
Wiles, Thomas
Wilkie, Alexander
WilliamsLlewelyn(Carmarthen
Williams, Osmond (Merioneth)
Williamson, A.
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Anstruther-Gray, Major
Arkwright, John Stanhope
Aubrey-Fletcher,Rt.Hon. SirH.
Baldwin, Stanley
Balfour,Rt.Hn.A.J.(CityLond.)
Banbury, Sir Frederick George
Baring,Capt.Hn.G.(Winchester
Barrie, H. T. (Londonderry, N.)
Beach,Hn.Michael Hugh Hicks
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Butcher, Samuel Henry
Campbell, Rt. Hon. J. H. M.
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Chamberlain,RtHn.J.A.(Worc.
Clark, George Smith
Clive, Percy Archer
Cochrane, Hon. Thos. H. A. E.
Collings, Rt.Hn.J.(Birmingham
Courthope, G. Loyd
Craig,CharlesCurtis(Antrim,S.)
Craik, Sir Henry
Cross, Alexander
Dixon-Hartland,Sir FredDixon
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Duncan,Robert (Lanark,Govan
Faber, George Denison (York)
Faber, Capt. W. V. (Hants, W.)
Fardell, Sir T. George
Fell, Arthur
Fletcher, J. S.
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Gooch,Henry Cubitt(Peckham)
Goulding, Edward Alfred
Gretton, John
Guinness, Hon.R.(Haggerston)
Guinness, W. E.(Bury S. Edm.)
Haddock, George B.
Harris, Frederick Leverton
Harrison-Broadley, H. B.
Hay, Hon. Claude George
Heaton, John Henniker
Helmsley, Viscount
Hill, Sir Clement
Hills, J. W.
Hope,James Fitzalan(Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Joynson-Hicks, William
Kennaway,Rt.Hon.Sir John H.
Kerry, Earl of
Keswick, William
Kimber, Sir Henry
King,Sir Henry Seymour(Hull)

Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Lee, Arthur H. (Hants, Fareham)
Lockwood, Rt. Hn. Lt.-Col. A. R.
Long, Col. Charles W. (Evesham)
Long, Rt. Hn. Walter (Dublin, S.)
Lonsdale, John Brownlee
Lyttelton, Rt. Hon. Alfred
MacCaw, William J. MacGeagh
M'Arthur, Charles
Magnus, Sir Philip
Marks, H. H. (Kent)
Mason, James F. (Windsor)
Meysey-Thompson, E. C.
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
Nolan, Joseph
Oddy, John James
Parker, Sir Gilbert (Gravesend)
Parkes, Ebenezer
Pease, Herbert Pike (Darlington
Percy, Earl
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Ratcliff, Major R. F.
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Renwick, George
Roberts, S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Sassoon, Sir Edward Albert
Scott, Sir S. (Marylebone, W.)
Smith, Abel H. (Hertford, East)
Smith, F. E. (Liverpool, Walton)
Smith, Hon. W. F. D. (Strand)
Stanier, Beville
Starkey, John R.
Staveley-Hill, Henry (Staff'sh)
Stone, Sir Benjamin
Strauss, E. A. (Abingdon)
Talbot, Lord E. (Chichester)
Talbot, Rt. Hn. J. G. (Oxf'd Univ)
Thomson, W. Mitchell-(Lanark)
Thorne, William (West Ham)
Thornton, Percy M.
Walker, Col. W. H. (Lancashire)
Walrond, Hon. Lionel
Warde, Col. C. E. (Kent, Mid)
White, Patrick (Meath, North)
Willoughby de Eresby, Lord
Wilson, A. Stanley (York, E.R.)
Winterton, Earl
Wortley, Rt. Hon. C. B. Stuart-
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE NOES—Sir Alexander Acland-Hood and Viscount Valentia.

Clauses 29 to 33 agreed to.

Clause 34 :

Question put, "That the Clause stand part of the Bill."

The Committee divided:—Ayes, 317; Noes, 125. (Division List No. 324.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Agar-Robartes, Hon. T. C. R.
Agnew, George William
Alden, Percy
Allen, A. Acland (Christchurch
Allen, Charles P. (Stroud)
Armitage, R.
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Asquith, Rt. Hn. Herbert Henry
Astbury, John Meir
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beauchamp, E.
Bell, Richard
Bellairs, Carlyon
Benn, Sir J. Williams (Devonp'rt
Bennett, E. N.
Berridge, T. H. D.
Bethell, Sir J. H. (Essex, Romf'rd
Bethell, T. R. (Essex, Maldon)
Birrell, Rt. Hon. Augustine
Black, Arthur W.
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Bryce, J. Annan
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cheetham, John Frederick
Churchill, Rt. Hon. Winston S.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W
Compton-Rickett, Sir J.
Corbett, C H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crooks, William
Crossley, William J.
Curran, Peter Francis
Dalmeny, Lord
Davies, David (Montgomery Co.)
Davies, M. Vaughan-(Cardigan)
Davies, Timothy (Fulham)
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras, N.
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dobson, Thomas W.
Duckworth, James
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne, Major E. Martin (Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley
Edwards, Sir Francis (Radnor)
Erskine, David C.
Esslemont, George Birnie
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Findlay, Alexander
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Glen-Coats, Sir T. (Renfrew, W.)
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Gulland, John W.
Gurdon, Rt. Hn Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardie, J. Keir (Merthyr Tydvil)
Hardy, George A. (Suffolk)

Harmsworth, Cecil B. (Worc'r.)
Harmsworth, R. L. (Caithn'ss-sh
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey, W. E. (Derbyshire, N.E.
Harwood, George
Haslam, James (Derbyshire)
Haworth, Arthur A.
Hazel, Dr. A. E.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J.M. (Aberdeen, W)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Holland, Sir William Henry
Holt, Richard Durning
Hooper, A. G.
Hope, W. Bateman (Somerset, N
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Isaacs, Rufus Daniel
Jacoby, Sir James Alfred
Jardine, Sir J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Sir D. Brynmor (Swansea)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Leese, Sir Joseph F. (Accrington
Lever, A. Levy (Essex, Harwich
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Rt. Hon. Thomas
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, J.M. (Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
Macpherson, J. T.
M'Callum, John M.
M'Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Mallet, Charles E.
Manfield, Harry (Northants)
Marks, G. Croydon (Launceston)
Marnham, F. J.
Massie, J.
Masterman, C. F. G.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Montgomery, H. G.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morton, Alpheus Cleophas
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
Parker, James (Halifax)
Partington, Oswald
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Pearson, W.H.M. (Suffolk, Eye)
Philipps, Col. Ivor (S'thampton)
Philipps, Owen C. (Pembroke)
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Price, C. E. (Edinb'gh, Central)
Price, Sir Robert J. (Norfolk, E.)
Priestley, Arthur (Grantham)
Priestley, W.E.B. (Bradford, E.)
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro')
Rees, J. D.
Rendall, Athelstan
Richards, Thomas (W. Monm'th
Richards, T.F. (Wolverh'mpt'n
Richardson, A.
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson, Sir G Scott (Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rogers, F. E. Newman
Rose, Charles Day
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann, Sir C. E. (Manchester)
Scott, A.H. (Ashton-under-Lyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Colonel
Shackleton, David James
Shaw, Charles Edw. (Stafford)
Shaw, Rt. Hn. T. (Hawick, B.)
Sherwell, Arthur James
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Albert (Staffs, N.W.)
Stanley, Hn. A. Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Summerbell, T.
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Tennant, Sir Edward (Salisbury
Tennant, H. J. (Berwickshire)
Thomas, Sir A. (Glamorgan, E.)
Thomasson, Franklin
Thompson, J. W. H. (Somerset, E.
Thorne, G. R. (Wolverhampton
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Walters, John Tudor
Walton, Joseph
Wardle, George J.
Wason, Rt. Hn. E (Clackmannan
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker, Rt Hn. Sir Thomas
Wiles, Thomas
Wilkie, Alexander
Williams, Llewelyn (Carmarth'n
Williams, Osmond (Merioneth)
Williamson, A.
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson, J. W. (Worcestersh. N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T M'Kinnon
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood,Rt Hn.SirAlex.F.
Anstruther-Gray, Major
Arkwright, John Stanhope
Aubrey-Fletcher,Rt.Hon.SirH.
Baldwin, Stanley
Balfour,RtHn.A.J.(City Lond.)
Banbury,Sir Frederick George
Baring,Capt.Hn.G.(Winchester
Barrie,H.T. (Londonderry, N.)
Beach,Hn.Michael Hugh Hicks
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Butcher, Samuel Henry
Campbell, Rt. Hon. J. H. M.
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Chamberlain,Rt Hn.J.A.(Worc
Clark, George Smith
Clive, Percy Archer
Cochrane, Hon. Thos H. A. E.
Collings,Rt.Hn.J. (Birm'gham)
Courthope, G. Loyd
Craig,Charles Curtis (Antrim,S.
Craik, Sir Henry
Cross, Alexander
Dixon-Hartland,Sir FredDixon
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Duncan,Robert(Lanark,Govan
Faber, George Denison (York)
Faber,Capt. W.V. (Hants, W.)
Fardell, Sir T. George
Fell, Arthur
Fletcher, J. S.
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Gooch,Henry Cubitt(Peckham)
Goulding, Edward Alfred
Gretton, John
Guinness,Hon.R. (Haggerston)
Guinness,W.E. (Bury S. Edm.)
Haddock, George B.
Harris, Frederick Leverton
Harrison-Broadley, H. B.
Hay, Hon. Claude George
Helmsley, Viscount
Hill, Sir Clement
Hills, J. W.
Hope,James Fitzalan(Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Joynson-Hicks, William
Kennaway,Rt.Hon.Sir JohnH.
Kerry, Earl of
Keswick, William
Kimber, Sir Henry
King,Sir HenrySeymour (Hull)
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Lee,Arthur H.(Hants,Fareham
Lockwood,Rt.Hn.Lt.-Col.A.R.
Long,Col.Charles W. (Evesham
Long,Rt.Hn.Walter (Dublin,S)
Lonsdale, John Brownlee
Lyttelton, Rt. Hon. Alfred
MacCaw, William J. MacGeagh
M'Arthur, Charles
Magnus, Sir Philip
Marks, H. H. (Kent)
Mason, James F. (Windsor)
Meysey-Thompson, E. C.
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson,Wm.G. (Petersfield)
Nield, Herbert
Nolan, Joseph
Oddy, John James
Parker, Sir Gilbert (Gravesend)
Parkes, Ebenezer
Percy, Earl
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Ratcliff, Major R. F.
Rawlinson,John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Renwick, George
Roberts,S.(Sheffield, Ecclesall)
Ronaldshay, Earl of
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Sassoon, Sir Edward Albert
Scott, Sir S. (Marylebone, W.)
Smith,Abel H. (Hertford,East)
Smith,F.E. (Liverpool Walton)
Smith, Hon. W. F. D. (Strand)
Stanier, Beville
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.
Stone, Sir Benjamin
Talbot,Rt.Hn.J.G.(Oxf'dUniv.
Thomson,W. Mitchell-(Lanark)
Thornton, Percy M.
Valentia, Viscount
Walker,Col.W.H. (Lancashire)
Walrond, Hon. Lionel
Warde, Col. C. E. (Kent, Mid)
Watt, Henry A.
White, Patrick (Meath, North)
Willoughby de Eresby, Lord
Wilson,A.Stanley (York. E.R.)
Winterton, Earl
Wortley,Rt. Hon.C.B.Stuart-
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE NOES—Lord Edmund Talbot and Mr. Pike Pease.

Clause 35 ·

Question put, "That the Clause stand part of the Bill."

The Committee divided :—Ayes, 311; Noes, 120. (Division List No. 325.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Agar-Robartes, Hon. T. C. R.
Agnew, George William
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Asquith,Rt.Hn.Herbert Henry
Astbury, John Meir
Baker,Joseph A.(Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beauchamp, E.
Bell, Richard
Bellairs, Carlyon
Benn,Sir J.Williams(Devonp'rt
Bennett, E. N.
Berridge, T. H. D.
Bethell,Sir J.H.(Essex Romf'rd
Bethell, T. R. (Essex, Maldon)
Birrell, Rt. Hon. Augustine
Black, Arthur W.
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner,J.F.L.(Lancs.,Leigh)
Bryce, J. Annan
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burt, Rt. Hon. Thomas
Buxton,Rt.Hn.Sydney Charles
Byles, William Pollard
Carr-Gomm, H. W.
Cawley, Sir Fredrick
Channing, Sir Francis Allston
Cheetham, John Frederick

Churchill, Rt. Hon. Winston S.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins,Sir Wm.J.(S.Pancras,W
Compton-Rickett, Sir J.
Corbett, C H(Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crooks, William
Crossley, William J.
Curran, Peter Francis
Dalmeny, Lord
Davies,David(MontgomeryCo.
Davies,M.Vaughan-(Cardigan
Davies, Timothy (Fulham)
Dewar,Arthur (Edinburgh, S.)
Dickinson,W.H.(St.Pancras,N.
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dobson, Thomas W.
Duckworth, James
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne,Major E.Martin(Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Sir Francis (Radnor)
Erskine, David C.
Esslemont, George Birnie
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Findlay, Alexander
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Gulland, John W.
Gurdon,RtHn.SirW.Brampton
Haldane, Rt. Hon. Richard B.
Harcourt,Rt.Hn.L.(Rossendale
Harcourt,Robert V.(Montrose))
Hardie,J.Keir (MerthyrTydvil
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Harmsworth,R.L.(Caithn'ss-sh
Harvey, A. G. C. (Rochdale)
Harvey,W.E.(Derbyshire,N.E.
Harwood, George
Haslam, James (Derbyshire)
Haworth, Arthur A.
Hazel, Dr. A. E.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson,J.M.(Aberdeen, W.)

Henry, Charles S.
Herbert,Col.Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Holland, Sir William Henry
Holt, Richard Durning
Hooper, A. G.
Hope,W.Bateman (Somerset,N
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Isaacs, Rufus Daniel
Jacoby, Sir James Alfred
Jardine, Sir J.
Johnson, John (Gateshead
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones,William (Carnarvonshire
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
King,Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G.(Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Leese,Sir Joseph F.(Accrington
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Rt. Hon. Thomas
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald,J.M. (Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
Macpherson, J. T.
M'Callum, John M.
M'Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Mallet, Charles E.
Manfield, Harry (Northants)
Marks,G.Croydon (Launceston)
Marnham, F. J.
Massie, J.
Masterman, C. F. G.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Montgomery, H. G.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morton, Alpheus Cleophas
Murray,Capt.Hn A C.(Kincard)
Myer, Horatio
Napier, T. B.

Newnes, F. (Notts, Bassetlaw)
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
Parker, James (Halifax)
Partington, Oswald
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Pearson, W.H.M. (Suffolk,Eye)
Philipps,Col.Ivor (S'thampton)
Philipps, Owen C. (Pembroke)
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Price, C. E. (Edinb'gh, Central)
Price,Sir Robert J.(Norfolk,E.)
Priestley, Arthur (Grantham)
Priestley, W.E.B.(Bradford,E.)
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro')
Rees, J. D.
Rendall, Athelstan
Richards,Thomas (W.Monm'th
Richards,T.F.(Wolverh'mpt'n
Richardson, A.
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson,Sir G Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rogers, F. E. Newman
Rose, Charles Day
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann, Sir C.E.(Manchester)
Scott,A.H. (Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Colonel
Shackleton, David James
Shaw, Charles Edw. (Stafford)
Shaw, Rt. Hn. T. (Hawick, B.)
Sherwell, Arthur James
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Albert (Staffs, N.W.)
Stanley, Hn.A.Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)

Stuart, James (Sunderland)
Summerbell, T.
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Tennant, Sir Edward (Salisbury
Tennant, H. J. (Berwickshire)
Thomas, Sir A. (Glamorgan, E.)
Thomasson, Franklin
Thompson, J. W. H. (Somerset, E
Thorne, G. R. (Wolverhampton
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Vivian, Henry
Walsh, Stephen
Walters, John Tudor
Walton, Joseph
Wason, Rt. Hn. E (Clackmannan
Wason, John Cathcart (Orkney
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker, Rt. Hn. Sir Thomas P.
Wiles, Thomas
Wilkie, Alexander
Williams, Llewelyn (Carmarth'n
Williams, Osmond (Merioneth)
Williamson, A.
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson, J. W. (Worcestersh. N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Anstruther-Gray, Major
Arkwright, John Stanhope
Aubrey-Fletcher, Rt. Hn. Sir H.
Baldwin, Stanley
Balfour, Rt. Hn. A. J. (City Lond)
Banbury, Sir Frederick George
Baring, Capt. Hn. G (Winchester
Barrie, H. T. (Londonderry, N.)
Beach, Hn. Michael Hugh Hicks
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Butcher, Samuel Henry
Campbell, Rt. Hon. J. H. M.
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Chamberlain, Rt Hn. J A. (Worc.
Clark, George Smith
Clive, Percy Archer
Cochrane, Hon. Thos. H. A. E.
Collings, Rt. Hn. J. (Birm'gham)
Courthope, G. Loyd
Craig, Charles Curtis (Antrim, S)
Craik, Sir Henry
Cross, Alexander
Dixon-Hartland, Sir Fred Dixon
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Duncan, Robert (Lanark, Govan
Faber, George Denison (York)
Faber, Capt. W. V. (Hants, W.)
Fell, Arthur
Fletcher, J. S.
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Gooch, Henry Cubitt (Peckham)
Goulding, Edward Alfred
Gretton, John
Guinness, Hn. R. (Haggerston)
Guinness, W. E. (Bury S. Edm.)
Haddock, George B.
Harris, Frederick Leverton
Harrison-Broadley, H. B.
Hay, Hon. Claude George
Helmsley, Viscount
Hill, Sir Clement
Hills, J. W.
Hope, James Fitzalan (Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Joynson-Hicks, William
Kennaway, Rt. Hn. Sir John H.
Kerry, Earl of
Keswick, William
Kimber, Sir Henry
King, Sir Henry Seymour (Hull)
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Lee, Arthur H. (Hants, Fareham
Lockwood, Rt. Hn. Lt.-Col. A. R.
Long, Col. Charles W. (Evesham
Long, Rt. Hn. Walter (Dublin, S)
Lonsdale, John Brownlee
Lyttelton, Rt. Hon. Alfred
MacCaw, William J. MacGeagh
M'Arthur, Charles
Magnus, Sir Philip
Marks, H. H. (Kent)
Mason, James F. (Windsor)
Meysey-Thompson, E. C.
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
Nolan, Joseph
Oddy, John James
Parkes, Ebenezer
Pease, Herbert Pike (Darlington
Percy, Earl
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Ratcliff, Major R. F.
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Renwick, George
Roberts, S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Sassoon, Sir Edward Albert
Scott, Sir S. (Marylebone, W.)
Smith, Abel H. (Hertford, East)
Smith, F. E. (Liverpool, Walton
Smith, Hon. W. F. D. (Strand)
Stanier, Beville
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.)
Talbot, Lord E. (Chichester)
Talbot, Rt. Hn. J. G. (Oxf'd Univ.
Thomson, W. Mitchell-(Lanark.
Walker, Col. W. H. (Lancashire)
Waldron, Hon. Lionel
Warde, Col. C. E. (Kent, Mid)
White, Patrick (Meath, North)
Willoughby de Eresby, Lord
Wilson, A. Stanley (York, E.R.)
Winterton, Earl
Wortley, Rt. Hn. C. B. Stuart-
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE NOES—Sir Alexander Acland-Hood and Viscount Valentia.

Committee report Progress; to sit again To-morrow.

Whereupon Mr. DEPUTY-SPEAKER, pursuant to the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at half after Eleven o'clock.

HOUSE OF LORDS.

Wednesday, 4th November, 1908.

REPRESENTATIVE PEER FOR IRELAND.

Writs and Returns showing that Frederick Oliver Baron Ashtown, and Arthur Kenlis Baron Farnham, had received an equal number of votes in the recent election of a Representative Peer for Ireland in the room of the late Earl of Rosse, deceased, with the Certificate of the Clerk of the Crown in Ireland annexed thereto; delivered (on oath), and Certificate read.

The LORD CHANCELLOR (Lord Loreburn): My Lords, the Act of Union prescribes that whenever by reason of an equality of votes in the election of a Lord Temporal of Ireland to sit in the Parliament of the United Kingdom the complete election shall not be made, the names of those Peers for whom such equality of votes shall have been so given shall be written on separate pieces of paper, and put into a glass by the Clerk of the Paliaments at the Table of the House of Lords while the House is sitting, and the Peer whose name shall be first drawn by the Clerk of the Parliaments shall be deemed to be elected. That describes the procedure which will now be followed.

Then in pursuance of the provisions of 39 and 40 Geo. III. c. 67, the names of the said Peers were written on pieces of paper of a similar form and put into a glass by the Clerk of the Parliaments, and the name of the Lord Ashtown having been first drawn out by the Clerk of the Parliaments, he was declared to be duly elected.

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

PETITION.

CHILDREN BILL.

Petition for amendment of; of the provost, magistrates, and councillors of the Royal Burgh of Forres; read, and ordered to lie on the Table.

RETURNS, REPORTS, ETC.

MERCHANT SHIPPING ACTS, 1894 TO 1906.

Return of all British and Foreign ships ordered by the Board of Trade, or its officers, during the period from 1st July, 1907, to 30th June, 1908, to be provisionally detained as unsafe. (In continuation of Parliamentary Paper [Cd. 3678.])

LONDON TRAFFIC.

Report of the London Traffic Branch of the Board of Trade.

CHECKING OF PIECE-WORK WAGES IN DOCK LABOUR (DEPARTMENTAL COMMITTEE).

Report of the Departmental Committee on the checking of piece-work wages in dock labour; Report and Minutes of Evidence.

Presented (by Command), and ordered to lie on the Table.

CHILDREN BILL.

Order of the day for the House to be put into Committee, read.

Moved, "That the House do now resolve itself into Committee."—(*Earl Beauchamp.*)

On Question, Motion agreed to.

House in Committee accordingly.

[The Earl of Onslow in the Chair.]

Clause 1:

*Lord LEIGH moved to delete the proviso that subsection (1) should not apply as respects any infant where the period for which it was received was forty-eight hours or less. He explained that his object was to allow of premises being visited where children were received for payment in places such as crèches. In these places children were said to be often quieted by means of narcotics, and it seemed only right that there should be power of inspection.

Amendment moved—

"In page 1, line 11, to leave out from the word 'authority' to the end of subsection (1).'" (*Lord Leigh*).

The LORD STEWARD (Earl Beauchamp) said the noble Lord's Amendment would render it necessary that notice should be given to the local authority even if a child were put out for a single afternoon with a relative. What the Bill did was to re-enact the present law, which was that notice should be given where the period for which the child was received was longer than forty-eight hours. That, in the opinion of His Majesty's Government, was sufficient.

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 2:

Drafting Amendments, agreed to.

*LORD LEIGH moved to leave out subsection (4), which ran—

> "A local authority may exempt from being visited, either unconditionally or subject to such conditions as they think fit, any particular premises within their district which appear to them to be so conducted that it is unnecessary that they should be visited."

His object was, he said, not so much to secure the omission of the subsection, if the Government still thought it better to exempt particular places from being visited, as to suggest that where places were exempted, and children were subsequently found to be ill-treated, there should then be power to inflict heavier punishment.

Amendment moved—

> "In page 3, lines 33 to 37, to leave out subsection (4)."—(*Lord Leigh.*)

EARL BEAUCHAMP thought it would be more convenient if the noble Lord placed an Amendment on the Paper for the Report stage to secure his object. The Amendment which he had now moved was certainly one which His Majesty's Government could not accept. There were a number of institutions conducted by very well-known societies which it was unnecessary to visit, and the object of the subsection was to give power to the local authority to exempt such well-conducted institutions.

EARL RUSSELL asked whether, under the subsection as it stood, it would be possible to withdraw the exemption at any period if the place became ill-conducted.

Earl Beauchamp.

EARL BEAUCHAMP said he would think so certainly, but he would make sure on that point before the Report stage.

Amendment, by leave, withdrawn.

LORD ALVERSTONE moved to amend the provision that—

> "If the occupier of the premises or any other person obstructs any visitor or other person acting in pursuance of such a warrant, he shall be guilty of an offence under this Part of this Act."

by inserting, after the word "obstructs," the words "or causes or procures to be obstructed." He said that as the subsection stood it would not be possible to get at the occupier if he employed a third person to obstruct. He therefore suggested the additional words for the purpose of strengthening the clause.

Amendment moved—

> "In page 4, line 12, after the word 'obstructs' to insert the words 'or causes or procures to be obstructed.'"—(*Lord Alverstone.*)

EARL BEAUCHAMP said he gladly accepted the Amendment.

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clause 3:

Drafting Amendments agreed to.

EARL BEAUCHAMP moved to leave out paragraph (*d*) of Clause 3. The clause ran—

> "An infant, in respect of which notice is required to be given under this Part of this Act, shall not, without the written sanction of the local authority, be kept: (*a*) By any person from whose care any infant has been removed under this Part of this Act; or (*b*) in any premises from which any infant has been removed under this Part by reason of the premises being dangerous or insanitary; or (*c*) by any person convicted of any offence under Part II. of this Act; or (*d*) by any person who, after being given an opportunity of being heard, has been declared by order of the local authority unfit to have the care of infants; and any person keeping an infant contrary to this section shall be guilty of an offence under this Part of this Act."

He said it had been represented that paragraph (*d*) gave the local authority power, as it were, to prejudge the case. This was thought to be unfair, and as the omission of the paragraph would not in any way weaken the Bill he hoped their Lordships would agree to the Amendment. If a person had been proved to be unfit to have the care of an infant the infant would be removed, and the individual concerned would fall under paragraph (*a*).

Amendment moved—

> "In page 4, lines 25 to 27, to leave out paragraph (*d*)."—(*Earl Beauchamp.*)

LORD ALVERSTONE, while agreeing to the omission of the paragraph, asked the Government whether something of the kind ought not to be inserted of a wider scope. There was the case of a person who had been declared unfit by some other authority. He thought some provision of the kind ought to be considered before the Bill left their Lordships' House.

On Question, Amendment agreed to.

LORD ALVERSTONE moved to add after the word "keeping" the words "or causing to be kept." The provision would then read—

> "And any person keeping or causing to be kept an infant contrary to this section shall be guilty of an offence under this Part of this Act."

He said this Amendment and the one standing in his name to Clause 5 were of the same kind as his Amendment to Clause 2 to which the Committee had agreed. The object was to get at the individual who employed a third person and endeavoured to transfer his responsibility. He submitted that the additional words strengthened and improved the clause.

Amendment moved—

> "In page 4, line 28, after the word 'keeping,' to insert the words 'or causing to be kept.' "—(*Lord Alverstone.*)

EARL BEAUCHAMP accepted the Amendment.

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clause 4 agreed to.

Clause 5:

Verbal and consequential Amendments agreed to.

Clause, as amended, agreed to.

Clause 6 agreed to.

Clause 7:

LORD ALVERSTONE said that the clause was certainly wider than he had originally thought, because it contained the words that—

> "If any such person directly or indirectly insures or attempts to insure the life of such an infant, he shall be guilty of an offence under this Part of this Act."

But he still thought it desirable to strengthen the words—

> "And if a company . . . society, or person knowingly issues or procures or attempts to procure to be issued to such a person a policy on the life of such an infant the company or other person shall be guilty of an offence under this Part of this Act."

He suggested the addition, after the words "issued to," of the words "or on behalf of or for the benefit of," and, after the words "such a person," of the words "as aforesaid."

Amendment moved—

> "In page 6, line 4, after the word 'to,' to insert the words 'or on behalf of or for the benefit of,' and after the word 'person' to insert the words 'as aforesaid.' "—(*Lord Alverstone.*)

EARL BEAUCHAMP said the point which had been raised by the noble and learned Lord had occurred also to the Home Office, but they suggested this form of words—namely, to leave out "to such a person" and to insert "to or for the benefit of such a person as aforesaid or to any person on his behalf."

LORD ALVERSTONE intimated that he would be quite satisfied with these words if the noble Earl would move them.

Amendment, by leave, withdrawn.

Amendment moved—

> "In page 6, line 4, to leave out the word 'to such a person,' and to insert the words 'to or

for the benefit of such a person as aforesaid or to any person on his behalf.' "—(*Earl Beauchamp.*)

On Question, Amendment agreed so.

Verbal Amendment agreed to.

Clause, as amended, agreed to.

Clause 8:

LORD ALVERSTONE moved to amend subsection (1)—

> "If any person required to give a notice under this Part of this Act knowingly or wilfully makes, or causes or procures any other person to make, any false statement in any such notice, he shall be guilty of an offence under this Part of this Act."

by adding, after the word "false," the words "or misleading." A misleading statement might not be held to be a false statement. It was desirable that there should be accuracy as well as truth.

Amendment moved—

> "In page 6, line 9, after the word 'false,' to insert the words 'or misleading.' "—(*Lord Alverstone.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clause 9 agreed to.

Clause 10:

*LORD CHEYLESMORE moved to amend subsection (1)—

> "The local authority for the purpose of this Part of this Act shall: (*a*) As respects the County of London, exclusive of the City, be the County Council; (*b*) as respects the City of London, be the Common Council; (*c*) elsewhere be the guardians of the Poor Law union."

by substituting "metropolitan borough councils" for "county council." He did not move this Amendment in any spirit of antagonism to the London County Council of which he had the honour of being a member, but in the interest of the children and of the sorely taxed London ratepayer. He submitted that the provisions of the Bill could be much more effectually carried out by the metropolitan borough councils than by the county councils. It was agreed that it was most important that the houses in which children were received should be in good sanitary condition. To ensure that there must be sanitary inspection. The borough councils were the sanitary authorities for the metropolis, and the London County Council had no means of inspecting these houses. He would cite one instance as showing how necessary it was that there should be adequate sanitary inspection. A lady at Lewisham recently applied to be registered to take in twenty-five children. Permission was granted by the London County Council, but in a very short time several of the children died. The matter was reported to the sanitary officer of the borough, and on the house being inspected it was discovered that the drains were in a very bad state, and were actually ventilated into the rooms in which the children were living. Every borough council had its sanitary officers and there were only three boroughs in London—Shoreditch, Deptford, and Greenwich—which had not appointed female health visitors. It was largely owing to the efforts of these ladies that the rate of mortality amongst infants had been considerably reduced in the metropolis. There were at the present time 247 houses in London registered for the purpose of taking in more than two children. Even if that number were doubled or trebled the staffs of the borough councils would be equal to coping with them. But if the London County Council were constituted the authority under the Act it would lead to considerable additions to the staff and consequent increased expenditure. It would be to the advantage of London that the authority for the purposes of this part of the Act should be as respects the County of London the borough councils, and he hoped the Government would accept his Amendment.

Amendment moved—

> "In page 6, line 33, to leave out the words 'County Council,' and to insert the words 'metropolitan borough councils.' "—(*Lord Cheylesmore.*)

EARL BEAUCHAMP, in opposing the Amendment, said that this part of the Bill did not confer any new powers, but merely continued the existing law as established by the Act of 1897. The

London County Council did inspect at the present time and had discharged this function without, so far as he knew, any complaint, except the single case to which the noble Lord had referred. But that case was not so much one of complaint against the baby farm as that the sanitary inspection of the premises had been bad, which seemed to him quite a different point. The object of the clause was to continue the London County Council the authority for inspecting these premises, and the noble Lord made a curious appeal when he asked their Lordships, in the interest of economy, to establish twenty-eight new organisations.

LORD CHEYLESMORE: They already exist.

EARL BEAUCHAMP said that each borough council would have to create a fresh department or appoint additional officers in order to inspect these baby farms. The London County Council already had these officials, and had carried out this work in the past. Moreover, it was very desirable that in an area like London there should be uniformity of practice, and that could only be obtained by having a central authority. If the Amendment were adopted the practice would vary, and there would be a tendency for baby farmers to remove to districts where the inspection was not so stringent.

VISCOUNT MIDLETON thought their Lordships would feel that it was undesirable in this case to load up the London County Council with more work. An Amendment had been passed a few months ago by the House with the object of transferring the work of carrying out the Old-Age Pensions Act from the London County Council to the borough councils, but that Amendment was rejected by the House of Commons on the ground of privilege. Although it would be unwise yet to draw conclusions, he thought the disadvantages arising from the rejection of their Lordships' Amendment were obvious. Moreover, if the noble Earl in charge of this Bill would look at its details he would see that much of the work in question would have to be done locally.

LORD STANLEY OF ALDERLEY said the noble Viscount had himself given a reason why the Amendment should not be pressed. A similar Amendment in connection with the Old-Age Pensions Act had been set aside in the other House on the ground of privilege, and as it would necessarily follow from Lord Cheylesmore's Amendment that the cost under this Bill would be transferred from the general rate of London to the local rates of the various boroughs it was clear that the Amendment would fall to the ground for the same reason.

*THE MARQUESS OF LANSDOWNE: We have not yet heard any sufficient reasons for the refusal of the Amendment. The noble Earl in charge of the Bill told us that under the existing law these duties belong to the London County Council. No doubt that is true; but this is not merely a Consolidation Bill. It is also an endeavour to improve the law wherever we find the law capable of improvement. What we hear is that the London County Council itself is very decidedly in favour of making this change, and is convinced that this work could be better done by the borough councils. Nor am I at all deterred by the noble Earl's statement that if this proposal were adopted twenty-eight new organisations would have to be created. Surely the borough councils must have machinery at their hand adapted for the performance of these duties. I confess that unless I hear a stronger case against the Amendment I shall be disposed to vote with my noble friend behind me.

THE CHANCELLOR OF THE DUCHY (Lord FITZMAURICE) did not understand the mover of the Amendment to say that the London County Council had expressed an opinion in its favour, and he thought it should not go forward that there had been an expression of that kind by the London County Council. He was not in a position to say, one way or the other, whether the London County Council were in favour of the proposal in the Amendment; but on the merits he would point out that they had an existing organisation for this purpose and no one had alleged that they had not performed their present duties in a satisfactory way. He contended that it was of enormous importance to have uniformity of administration in matters of this kind. There was also the question of expense. It was a notorious fact that if they multiplied a large number of officers over a great area a much more formidable total in the matter of salaries was reached than if the expenditure were centralised. The staff for this work existed in the London County Council; it was a staff of a special character which could not very well be absorbed in other work, and therefore, the probability was that if the proposed change were made in the authority under the Bill many of these officers would have to be compensated. Therefore, from whatever point of view it was looked at the Amendment was not desirable.

VISCOUNT MIDLETON said the time that had elapsed since the Bill took final shape in the House of Commons had been too short to allow of a formal pronouncement on the subject of this Amendment by the London County Council. He admitted it might be undesirable to press the Amendment at the present stage, but protested against the imposition of multifarious duties upon the London County Council.

LORD CHEYLESMORE withdrew the Amendment.

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 11:

THE EARL OF DONOUGHMORE moved to add to subsection (1)—

"The provisions of this Part of this Act shall not extend to any relative, or legal guardian of an infant who undertakes the nursing and maintenance of the infant, or to any person who undertakes the nursing or maintenance of an infant under the provisions of any Act for the relief of the poor or of any order made under any such Act; or to hospitals, convalescent homes, or institutions established for the protection and care of infants, and conducted in good faith for religious or charitable purposes, or boarding schools at which efficient elementary education is provided,"

the words—

"Or to any religious or charitable society which shall pay any person for keeping an infant, or to the person so employed, provided that such society shall have obtained from the Local Government Board a certificate that it is a fit and proper institution to be exempted from the provisions of this part of this Act."

His object was to extend the exemptions to Presbyterian and other Protestant institutions in Ireland where a system of boarding-out was adopted. Though the clause as it stood might work perfectly well in England, it would be useless in Ireland, having in view the relations between religious denominations and representation on the boards of guardians. Without some such Amendment as proposed the inevitable result would be that the institutions in which he was interested would be compelled to return to the institutional system, which was much less efficient and more expensive than the system of boarding-out.

Amendment moved—

"In page 7, line 13, after the word 'purposes,' to insert the words 'or to any religious or charitable society which shall pay any person for keeping an infant, or to the person so employed, provided that such society shall have obtained from the Local Government Board a certificate that it is a fit and proper institution to be exempted from the provisions of this part of this Act.'"—(*The Earl of Donoughmore.*)

EARL BEAUCHAMP said the Government fully recognised the strength of the noble Earl's case, so far as Ireland was concerned. There had been, however, no suggestion that the Amendment should be made to apply to any other part of the United Kingdom. If the noble Earl would be satisfied by restricting it to Ireland the Government were disposed to accept the Amendment, which however, should find a place in Clause 132 (Application of the Act to Ireland).

THE EARL OF DONOUGHMORE said he would adopt the noble Earl's suggestion. He would withdraw the Amendment now, and move the insertion of the words when Clause 132 was reached.

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 12:

*LORD LEIGH moved to amend the provision—

"If any person over the age of sixteen years, who has the custody, charge, or care of any child or young person wilfully assaults, ill-treats neglects, abandons, or exposes,"

etc., by leaving out the words "wilfully," "ill-treats," and "or," and by inserting, after the word "exposes," the words "or wilfully ill-treats." He said that this was more than anything else a grammatical Amendment.

Amendment moved—

"In page 7, line 25, to leave out the words 'wilfully,' 'ill-treats,' and 'or,' and after the word 'exposes' to insert the words 'or wilfully ill-treats.'"—(*Lord Leigh.*)

EARL BEAUCHAMP could not accept the definition of the Amendment which the noble Lord had given. It was more than a mere verbal Amendment. The effect of it would be to make the provision read—

"If any person . . . assaults, neglects, abandons, exposes, or wilfully ill-treats."

—that was to say, the qualification, for instance, that the neglect must be wilful would be taken away. The Amendment was not one which the Government were prepared to accept. The clause as drawn followed the Act of 1904, and the Society for the Prevention of Cruelty to children was in favour of the maintenance of the form of words proposed.

Amendment, by leave, withdrawn.

Drafting Amendment, agreed to.

EARL BEAUCHAMP moved to amend subsection (2)—

"A person may be convicted of an offence under this section, either on indictment or by a court of summary jurisdiction, notwithstanding that actual suffering or injury to health to the child or young person was obviated by the action of another person,"

by leaving out the words "to the child or young person," and inserting the words "or the likelihood of such suffering or injury to health." He said it had been pointed out that subsection (2) as it stood would suggest that subsection (1) only applied when actual suffering or neglect had resulted.

Amendment moved—

"In page 8, lines 14 and 15, to leave out the words 'to the child or young person,' and to insert the words 'or the likelihood of such suffering or injury to health."—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clause 13 agreed to.

Clause 14:

LORD ALVERSTONE moved an Amendment to provide that the offence should be to allow a child to be "left alone" in a room without a fireguard. The clause read: "Allows that child to 'be' in any room," etc., and his view was that it should not be an offence within the meaning of the section for a mother to leave the child for a very short time. Nothing had struck him more than the extraordinary way in which the elder children of a family looked after the infants. These young children took an extraordinary motherly care of their younger brothers and sisters, and Parliament ought to be careful not to include a case in which a little child had been left in the charge of a sister a few years older. It seemed to him that that had not been quite sufficiently thought out by the framer of the clause.

Amendment moved—

"In page 9, line 36, to leave out the words 'be,' and to insert the words 'remain alone.'" —(*Lord Alverstone.*)

EARL BEAUCHAMP pointed out that the word "be" was goverened by the subsequent words "without taking reasonable precautions against" the risk.

LORD ALVERSTONE: I agree.

EARL BEAUCHAMP said that, in the opinion of the Government, the case of elder children would be met, for that would be taking reasonable precautions. But what would happen under the Amendment supposing there were a twin? It could not be said if they were burned that either of the children had been left alone.

LORD ALVERSTONE: I had not thought of twins.

Earl BEAUCHAMP said that under the Amendment no action would lie in that case. Then, supposing an accident of this kind occurred and the mother was drunk. There, again, the child would not be remaining alone, but no action would lie. In these circumstances he could not accept the words suggested, but if the noble and learned Lord thought further words desirable the Government would be very glad to consider them on Report. But, in their opinion, the clause as it stood was really sufficient.

Lord ALVERSTONE withdrew the Amendment. He hoped, however, that the Government would consider the point. The answer of the noble Earl did not in any way deal with the question of temporary absence from the room. His fear was that this would be one of those clauses which would be thought to press too hardly, but if the noble Earl would consider the matter before the Report stage he would be satisfied.

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 15 agreed to.

Clause 16:

Verbal Amendment agreed to.

Clause, as amended, agreed to.

Clause 17:

Lord ALVERSTONE said his four Amendments to this clause raised a matter of some importance to which he incidentally called attention during the Second Reading Debate. The clause ran—

> 17.—(1) If any person having the custody, charge, or care of a girl under the age of sixteen years, causes, encourages, or favours the seduction or prostitution of that girl, he shall be guilty of a misdemeanour and shall be liable to imprisonment, with or without hard labour, for any term not exceeding two years. (2) For the purposes of this section a person shall be deemed to have favoured the seduction or prostitution (as the case may be) of a girl if he has conduced thereto by knowingly allowing the girl to consort with, or to enter or continue in the employment of, any prostitute or person of notoriously immoral character."

He had to consider the clause from the point of view of the administration of the criminal law, and he objected to the use of so vague a word as "favours." Vague words of that character were never desirable in creating a criminal offence. The framers of the Bill had obviously seen that his objection was one that required to be met, for they had, in subsection (2), inserted what he might call a definition of the word "favouring." He suggested that it would be better to strike out the word in both places. As he understood, what was intended was that a man should be deemed to have "favoured" if he had knowingly allowed the girl to consort with or to remain continuously with persons of immoral character. He would, therefore, suggest that the better alternative would be that the clause should read—

> "If any person having the custody, charge, or care of a girl under the age of sixteen years causes or encourages the seduction or prostitution of the girl, etc."

and subsection (2) could then read—

> "For the purposes of this section a person shall be deemed to have caused or encouraged the seduction or prostitution (as the case may be) of a girl if he has knowingly allowed the girl to consort with, or to enter or continue in the employment of, any prostitute or person of notoriously immoral character."

His object was to get rid of the ambiguous word "favours" and to keep in the wider scope of the words "causes" and "encourages," at the same time omitting the words "conduce thereto," which would be most difficult to prove. He would now move his first Amendment.

Amendment moved—

> "In page 10, line 29, to leave out the word 'encourages.'"—(*Lord Alverstone.*)

Earl BEAUCHAMP said that one legal Amendment was difficult enough to grapple with at one time, but when four Amendments were dealt with simultaneously it became still more complicated. The words in the clause were exactly those used in Section 12 of the Criminal Law Amendment Act, 1885, and it was thought very desirable to make the language of this clause correspond with that provision which dealt with a similar matter. He would have thought that the noble and learned Lord would himself be anxious that two Acts of Parliament dealing with the same matter should have similar phraseology. The other point seemed to be a very different one, and was really concerned not only with Clause 17 but also with Clause 18. Subsection (2) of the clause now before the Committee dealt with the case where the girl had been seduced, and Clause 18 dealt with the occasions which the noble and learned Lord had specially mentioned when the girl was exposed to the risk of seduction or prostitution, and, in the opinion of His Majesty's Government, that provision was sufficient to meet the case. In the opinion of the Home Office the noble and learned Lord's Amendment went further than was really necessary, because if nothing happened, it was thought that the Amendment would inflict too great a punishment upon the delinquent. He thought the method of dealing with more than one Amendment at a time open to objection. His Majesty's Government would be prepared to consider whether they could do anything in the matter on Report, but at the present moment they were not inclined to take any steps in the direction indicated.

THE EARL OF HALSBURY said that anyone who was familiar with the administration of the criminal law would heartily concur with the Lord Chief Justice in his objection to the retention of ambiguous words. What did the Government mean by the word "favours"? If they meant the definition given in the clause, what was the objection to substituting those words for the objectionable word itself? He sympathised with the Lord Chief Justice, and indeed with all His Majesty's Judges, when they were called upon in summing up to the jury to give an exposition of such a word as "favours." If the learned Judges were asked to give their real opinion, they would be obliged to say they did not know what the word actually meant. As the word had been defined, why not insert the definition instead of the word? That would render the matter very simple. As to the point of order he entirely differed from the noble Earl the Lord Steward. The Lord Chief Justice did not pretend to be moving his other Amendments, but explained the effect of them upon the rest of the clause in order to make intelligible the Amendment he was moving. That seemed to him to be perfectly in order.

*THE LORD PRIVY SEAL AND SECRETARY OF STATE FOR THE COLONIES (The Earl of CREWE): I do not know that we need labour the point as to whether or not the noble and learned Lord opposite was precisely in order, because we undoubtedly often adopt the course of discussing two or three Amendments at once—a course which might not be regarded elsewhere as strictly orderly. As regards the use of the particular word "favours," I am given to understand that the analogy which is employed is that of Section 12 of the Criminal Law Amendment Act. That was the Act of the noble Viscount opposite, Lord Cross, and it has been the law ever since. Whether the term is, in itself, open to objection from the point of view of Judges is, of course, another question, and upon that I am not competent to give an opinion. I should have thought, speaking purely as a layman, that there was a course of conduct which might be described as favouring as distinct from encouraging. The noble and learned Lord pointed out just now that a statement might be misleading without being untrue, and I should have thought that the difference between favouring and encouraging was somewhat analagous to that between an untrue statement and a misleading statement.

LORD ALVERSTONE said the noble Earl the Lord Steward had not understood the distinction between Clause 17 and Clause 18. The latter clause only dealt with the question of a parent or guardian exposing a girl to the risk of seduction. Clause 17 dealt with two acts which were deemed to be "favouring"—one was knowingly allowing the girl to consort with prostitutes, and the other knowingly allowing the girl to enter or continue in the employment of any prostitute or person of notoriously immoral character. If those two offences were proved, that ought to be sufficient to establish the offence without the necessity of proving that they had conduced to seduction. The existence of Clause 18, which dealt with a different state of things altogether, was no reason why subsection (2) of

Clause 17 should not be strengthened. In placing these Amendments to Clause 17 on the Paper he had the support of most experienced men at the Bar who had conducted prosecutions under the present Act for the past fifteen years.

On Question, Amendment agreed to.

LORD ALVERSTONE then proceeded to move his three consequential Amendments.

Amendment moved—

"In page 10, line 30, to leave out the word 'favours,' and to insert the words 'encourages.'"—(*Lord Alverstone.*)

On Question, Amendment agreed to.

Amendment moved—

"In page 10, line 34, to leave out the word 'favoured,' and to insert the words 'caused or encouraged.'"—(*Lord Alverstone.*)

On Question, Amendment agreed to.

Amendment moved—

"In page 10, line 35, to leave out the words 'conduced thereto by,' and to leave out the word 'allowing,' and to insert the word 'allowed.'"—(*Lord Alverstone.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clause 18 agreed to.

Clause 19:

*LORD KINNAIRD moved to amend subsection (1) so that it should read—

"Any constable *shall* take into custody, without warrant, any person—"

The word at present in the subsection was "may"; but it was strongly felt by certain bodies that this power should not be merely left a matter of discretion to the policeman.

Amendment moved—

"In page 11, line 10, to leave out the word 'may,' and to insert the word 'shall.'"—(*Lord Kinnaird.*)

EARL BEAUCHAMP could not accept the Amendment. The offence might only be of a trivial nature, and it was very undesirable to make it compulsory upon the policeman to arrest without a warrant.

LORD ALVERSTONE agreed that it would be most unwise to substitute the word "shall." The Amendment would introduce a dangerous precedent, and he hoped it would not be pressed.

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 20:

Drafting Amendment agreed to.

Clause, as amended, agreed to.

Clause 21:

LORD BALFOUR OF BURLEIGH pointed out that this clause, which dealt with the disposal of the child or young person by order of the Court, contained a provision that under certain circumstances a child might be committed to the care of a relative of the child or young person, or some other fit person; and in Clause 39 there was a definition to the effect that the expression "fit person" included any society or body corporate established for the reception or protection of poor children or the prevention of cruelty to children. He believed that as the law now stood it would be within the power of the magistrate in Scotland to commit the child to the care of the parish council. As there was no inclusion of a parish council in this clause or in the definition clause, he rather thought that an alteration was being unwittingly made in the law of Scotland in this matter. As the parish council in Scotland was the authority that would have to take charge of the child under these circumstances it would be reasonable that parish councils should be included in the definition so far as Scotland was concerned.

EARL BEAUCHAMP said he would be glad to look into the point and communicate with the noble Lord.

Clause agreed to.

Clauses 22 to 24 agreed to.

Clause 25:

THE EARL OF MEATH moved to amend subsection (1)—

> "The Secretary of State may cause any institution for the reception of poor children or young persons supported wholly or partly by voluntary contributions, and not liable to be inspected by or under the authority of any Government Department, to be visited and inspected from time to time by persons appointed by him for the purpose, and the Secretary of State, with the consent of any society or body corporate established for the reception or protection of poor children or the prevention of cruelty to children may, subject to such conditions as the Secretary of State may prescribe, appoint officers of the society or body corporate for the purpose,—"

by deleting all the words after "inspected from time to time by" and inserting the words—

> "An inspector or assistant inspector of reformatory and industrial schools, or by any person or persons experienced in the training of children, or belonging to the medical or nursing professions appointed by the Secretary of State for the purpose."

It seemed to him a novel idea that the Government of the day should be empowered to appoint officers of a private society to criticise and report to Government upon the operations of another society. A great deal would depend upon the tact of the man or woman sent down, and if they were not tactful and discreet immense friction would result. They were not to be paid by the State and were not to be under the control of the State, except that they might be dismissed if they did wrong. But what would the dismissal mean to them? If they had acted in accordance with the wishes and desires of their own particular society, which was driving a particular idea into the public minds, they would return to their society triumphantly and probably have their salaries increased for displaying sufficient courage to stand up in support of a particular theory. He was not opposed to inspection. On the contrary, he heartily joined with the Right Rev. Primate, who stated in his speech on the Second Reading that, being at the head of an enormous number of Church institutions, he welcomed inspection. He did not think inspection an unmixed evil, but it was the lesser of two evils. He did not want officers appointed by societies established for the protection of poor children, or the prevention of cruelty to children, because he was afraid these society inspectors were too much imbued with the one idea of their society when they went into any home. The very fact that these inspectors spent their days and nights with the one thought and doing the one act made them persons not of the judicial mind. Justice would be endangered if there were not some such restriction as that proposed in his Amendment. He pointed out that these societies were only too willing to place the services of their officers gratis at the disposal of the Government. The Amendment would not limit the power of the Secretary of State as regards the appointment of officials so long as they were fit. His whole object was to eliminate the unfit.

Amendment moved—

> "In page 17, line 20, to leave out from the word 'by' to the end of the subsection, and to insert the words 'an inspector or assistant inspector of reformatory and industrial schools or by any person or persons experienced in the training of children, or belonging to the medical or nursing professions appointed by the Secretary of State for the purpose.'"—(*The Earl of Meath.*)

EARL BEAUCHAMP, while not accepting the Amendment, offered, as a compromise, to strike out the latter part of the clause which empowered the Secretary of State, with the consent of any society or body corporate, to appoint officers of the society or body corporate for the purpose.

THE EARL OF MEATH: And will you add my words?

EARL BEAUCHAMP: No. The compromise I suggest is that we should strike out all words after "purpose."

*THE MARQUESS OF LANSDOWNE: Perhaps the noble Earl would allow us to consider his proposal, and, if necessary, make a suggestion with regard to it when we come to another stage of the Bill. As I understand it, the noble Earl suggests that the words after "purpose," in line 21, should be omitted, and that the clause should so stand. That would, of course, leave it open to the

Government or to the Department to appoint what I suppose my noble friend on the cross benches would call amateur inspectors, who would not have any particular training or aptitude for the work that would devolve upon them. There is absolutely no guarantee that these appointments would be filled up from any particular source.

EARL BEAUCHAMP said the inspectors referred to in the noble Earl's Amendment had already more than enough work to do and it was impossible to throw upon them the additional work of inspecting all the reformatory and industrial schools. The Amendment would limit too much the choice of the Secretary of State, who was, however, anxious to avail himself of the services of men of experience in connection with various societies. It was rather imaginary fear that the Secretary of State would send anybody down who was unfit or who would try to make mischief.

THE EARL OF HALSBURY said that every Government Department with which he had been connected had experienced difficulty in checking the undue zeal of some of these officials. If an inspector of one charitable society were appointed to inspect the institution of another charitable society, there would be in that a source of great friction. He hoped the noble Earl in charge of the Bill would consider how this danger could be guarded against.

EARL BEAUCHAMP thought the compromise he had suggested met the point. The additional words proposed by Lord Meath would, in the opinion of the Home Office, limit too much the choice of the Home Secretary in the matter.

LORD ALVERSTONE ventured to think the Government had met Lord Meath to a considerable extent, and suggested that it would be possible, on Report, to bring up some supplementary words to limit the persons to be appointed.

THE EARL OF MEATH accepted the compromise, and withdrew his Amendment.

Amendment, by leave, withdrawn.

The Marquess of Lansdowne.

EARL BEAUCHAMP then moved the deletion of the latter half of the subsection.

Amendment moved—

"In page 17, line 21, to leave out from the word 'purpose,' to the end of the subsection."—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clause 26:

Drafting Amendment agreed to.

EARL BEAUCHAMP said that under the Inebriates Acts one justice was sufficient, and therefore it was proposed to make that apply in the present case.

Amendment moved—

"In page 18, line 22, to leave out the words 'two justices,' and to insert the words 'a justice.'"—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clauses 27 to 32 agreed to.

Clause 33:

EARL BEAUCHAMP said it had been pointed out by a prominent police magistrate that this clause, which inacted that—

"When, in pursuance of this Part of this Act, any person is convicted by a court of summary jurisdiction of an offence, and that person did not plead guilty or admit the truth of the information, or when in the case of any application to a court of summary jurisdiction under this Part of the Act for an order committing a child or young person to the care of any person, or for an order for contribution to the maintenance of a child or young person, any party thereto thinks himself aggrieved by any order or decision of the court, he may appeal against such a conviction, or order, or decision to Quarter Sessions—"

deprived the man who pleaded guilty to the right of appeal to a jury. In all other cases where an appeal was given, the fact of having pleaded guilty did not deprive a defendant of his right of appeal. If their Lordships agreed to his Amendment the defendant would have a right of appeal against the sentence, if, in his opinion, it was too heavy.

Amendment moved—

"In page 22, lines 3 and 4, to leave out the words 'and that person did not plead guilty or admit the truth of the information.'"—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clause 34:

EARL BEAUCHAMP moved to omit this clause, which provided that where a misdemeanour under this part of this Act was tried on indictment, the expenses of the prosecution should be defrayed in like manner as in the case of a felony. He said this clause was rendered unnecessary by the passing of another Act in the present session.

Amendment moved—

"To leave out Clause 34."—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clauses 35 to 40 agreed to.

Clause 41:

THE EARL OF CAMPERDOWN moved to omit the words "or other person having the powers of a constable and," from the provision that—

"It shall be the duty of a constable and of a park keeper, or other person having the powers of a constable and being in uniform, to seize any cigarettes or cigarette papers in the possession of any person apparently under the age of sixteen whom he finds smoking in any street or public place."

He did not know what sort of persons were referred to by the words which he proposed to omit. Perhaps the noble Earl would explain.

Amendment moved—

"In page 23, line 30, to leave out the words 'or other person having the powers of a constable and.'"—(*The Earl of Camperdown.*)

EARL BEAUCHAMP expressed his willingness to accept the Amendment.

On Question, Amendment agreed to.

VISCOUNT HILL moved an Amendment to make "boys" not "persons" apparently under sixteen years of age liable to have cigarettes or cigarette papers in their possession seized. He had a later Amendment on the Paper cancelling that part of the clause which forbids a constable or park-keeper to search any person found smoking. He considered it an extraordinary proposal to impose the duty of seizure and to deny the right of search.

Amendment moved—

"In page 23, line 32, leave to out the word 'person,' and to insert the word 'boys.'"—(*Viscount Hill.*)

EARL BEAUCHAMP pointed out that the alteration suggested would allow girls to smoke. He hoped the Amendment would be withdrawn. He would presently suggest words which he believed would meet the case. He fully recognised the strong opinion behind the noble Viscount in this matter. The clause had also been the subject of comment in the Second Reading debate, and the Government were anxious to do all they could to meet the points raised.

Amendment, by leave, withdrawn.

Consequential Amendment agreed to.

VISCOUNT HILL had an Amendment on the Paper to delete the proviso at the end of the clause, viz.:

"Provided that such constable, park keeper, or other person as aforesaid shall not be authorised to search any person so found smoking."

EARL BEAUCHAMP said it would, perhaps, be convenient before the noble Viscount moved his Amendment if he stated that the Government were prepared to substitute "girl" for "person" in this proviso. He thought no Member of their Lordships' House would wish the police constable to have the right of search in respect of a girl. If, therefore, the word "girl" were substituted for "person" the constable would have the right to search a boy.

Amendment moved—

"In page 24, line 2, to omit the word 'person,' and to insert the word 'girl.'"—(*Earl Beauchamp.*)

Lord ALVERSTONE said that, though the noble Earl's Amendment met the particular point, he failed to see any power of search. If it was desirable—and he thought it was—that a boy should be searched, then words should be inserted to give that power.

The Earl of MEATH hoped power of search would be given, for otherwise the whole provision was rendered ridiculous.

Earl BEAUCHAMP said that if the noble Viscount was of opinion that no right of search existed as the clause stood, it would be very desirable for him to bring up a form of words on Report to give that power. His Majesty's Government would consider them.

On Question, Amendment agreed to.

Consequential Amendment agreed to.

Clause, as amended, agreed to.

Clause 42 agreed to.

Clause 43:

The Earl of CAMPERDOWN moved an Amendment to omit from the clause the words "uniformed boy messengers in the employment of a messenger company and employed as such at the time." So far as he could understand, a uniformed boy messenger might smoke himself if under the age of sixteen because his uniform protected him, and collusion might take place between boys under sixteen and a boy messenger for the purpose of procuring cigarettes. It was quite evident that this was a legislative feat performed by some private Member in the other House. How a uniformed boy messenger came to be mixed up with a boy employed by a dealer in tobacco completely puzzled him. Perhaps the noble Earl could give some explanation.

Amendment moved—

"In page 24, line 25, to leave out the words or was a uniformed boy messenger in the employment of a messenger company and employed as such at the time."—(*The Earl of Camperdown.*)

Earl BEAUCHAMP could not accept the Amendment. Very strong representations were made to the Government on the subject in another place, and it was not thought that this exemption would really weaken the effect of Part III. No matter what provisions were inserted, ingenious boys determined to smoke would, of course, find some way of doing so. Boy messengers were in an exceptional position. They were in uniform, and if they went into a tobacconists to buy cigarettes there was a considerable presumption that they were buying them for other persons. It would be for the convenience of the public that boy messengers should be enabled to make purchases.

The Earl of CAMPERDOWN said that, after listening to the remarks of the noble Earl, he was more in the dark than before. The noble Earl did not tell the Committee who the persons were who made the representations, and why uniformed boy messengers were picked out in particular. Other people might wish to include boys wearing another sort of uniform. It really seemed absurd to single out messengers in the employment of a messenger company.

Earl RUSSELL thought Lord Camperdown had overlooked the words which provided that the uniformed boy messenger should be in the employment of a messenger company and should be employed as such at the time. There was, therefore, very little fear of the collusion to which the noble Earl had referred. Cigarettes could be bought in penny packets, whereas the fee of the messenger would be a minimum one of threepence.

Lord ALVERSTONE asked the noble Earl in charge of the Bill to state why a uniformed boy messenger should have this privilege.

Earl BEAUCHAMP said he had already given the reason. It was for the convenience of the general public.

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 44 :

THE EARL OF CAMPERDOWN moved to amend subsection (1) which provided that—

> "For the purposes of this Part of this Act the expression 'cigarette' includes cut tobacco rolled up in paper, tobacco leaf, or any other material."

by omitting the words "any other material," and inserting "any material in such form as to be capable of immediate use for smoking." As the provision now stood, the expression "cigarette" might include tobacco rolled up in an old flannel petticoat.

Amendment moved—

> "In page 24, line 30, after the word 'or,' to insert the word 'in,' and after the word 'material' to insert the words 'in such form as to be capable of immediate use for smoking.'"—(*The Earl of Camperdown.*)

EARL BEAUCHAMP accepted the Amendment.

Clause, as amended, agreed to.

Clause 45 :

EARL BEAUCHAMP moved to add to the provision—

> "The expression 'child,' used in reference to a child ordered to be sent to a certified industrial school or to be transferred from a certified reformatory to a certified industrial school, applies to that child during the whole period of detention, whether in the industrial school or out on licence, notwithstanding that the child attains the age of fourteen years before the expiration of that period."

the words—

> "And when used in reference to proceedings for the purpose of enforcing an attendance order includes any person who, by virtue of any enactment is deemed to be a child for the purposes of the Education Acts, 1870 to 1907."

He explained that this was a technical point to meet the case of blind or deaf children.

Amendment moved—

> "In page 25, line 25, after the word 'period,' to insert the words 'and when used in reference to proceedings for the purpose of enforcing an attendance order includes any person who, by virtue of any enactment is deemed to be a child for the purposes of the Education Acts, 1870 to 1907.'"—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clauses 46 to 56 agreed to.

Clause 57 :

*LORD LEIGH moved to amend subsection (1)—

> "The managers of any certified school may establish, or join with the managers of one or more other certified schools in establishing, a scheme for the payment of superannuation allowances to officers of the school or schools who become incapable of discharging the duties of their offices with efficiency by reason of permanent infirmity of mind or body, or of old age, upon their resigning or otherwise ceasing to hold their offices—"

by substituting the word "shall" for "may," and adding, at the end of the subsection, words providing that for this purpose the provisions of the Poor Law Officers Superannuation Act, 1896, should be applied with such adaptations as might be made by Order in Council. He submitted that superannuation allowance for reformatory officers should be instituted by His Majesty's Government instead of being left to the various reformatory committees. All reformatory officers should be on the same footing in the matter of superannuation as Poor Law officers, elementary school teachers, and others, and it would seem unfair if some reformatory committees were to grant pensions and others did not.

Amendment moved—

> "In page 28, line 20, to leave out the word 'may,' and to insert the word 'shall,' and in line 26, after the word 'offices,' to insert the words 'and for this purpose the provisions of the Poor Law Officers' Superannuation Act, 1896, shall be applied with such adaptations as may be made by Order in Council.'"—(*Lord Leigh.*)

EARL BEAUCHAMP said the Government could not accept the Amendment. These schools were, generally speaking, of a private and voluntary character, and it was, therefore, undesirable that the Poor Law Officers' Superannuation Act should be applied. He thought their Lordships would recognise the inadvisability of applying an Act of this kind to officers of private institutions The noble Lord would see that power was given to the managers of any certified school to establish superannuation allowances, although the clause did not compel them to do so. He hoped the noble Lord would be satisfied with that power, which was a step in the right direction.

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 58:

*LORD KINNAIRD moved an Amendment to make the clause provide that where a youthful offender apparently over twelve but under eighteen years of age was charged with an offence punishable with penal servitude or imprisonment the Court might order him to be sent to a certified reformatory school. He said the object was to prevent a boy from being branded as a convict for the rest of his life and so kept out of certain desirable situations.

Amendment moved—

"In page 29, line 3, to leave out from the word 'offender' to the end of line 10, and to insert the words 'apparently over twelve years of age, but under eighteen years of age he is charged before a Court with an offence punishable with penal servitude or imprisonment, the Court, if satisfied on inquiry that it is expedient so to deal with the youthful offender, may order him to be sent to a certified reformatory school.'"—(*Lord Kinnaird.*)

EARL BEAUCHAMP said the Amendment would alter entirely the character of reformatory schools, and His Majesty's Government were quite unable to accept it. The point mentioned with regard to conviction had not quite so much in it as might appear at first sight, because the abolition of the conviction would not affect even the majority of cases. Out of 1,490 cases sent to these schools in 1906, 824 were cases in which it was known that there had been one or more previous convictions. If the age were raised as suggested they might have young men of twenty-one in the reformatory schools, and that would entirely alter their character. The Prevention of Crimes Bill now before the House of Commons made provision for sending offenders between sixteen and twenty-one years of age to a Borstal institution.

LORD ALVERSTONE said there was another very grave objection to the Amendment. The noble Lord proposed that certain boys should be dealt with before anything had been proved against them. It would be quite impossibe to permit of lads being dealt with as though they had been convicted when they had been merely charged.

Amendment, by leave, withdrawn.

*LORD LEIGH moved to amend subsection (1)—

"Where a youthful offender, who in the opinion of the court before which he is charged is twelve years of age or upwards but less than sixteen years of age, is convicted, whether on indictment or by a court of summary jurisdiction, of an offence punishable in the case of an adult with penal servitude or imprisonment, the court may, in addition to or in lieu of sentencing him according to law to any other punishment, order that he be sent to a certified reformatory school."

by leaving out the words "less than sixteen years" and inserting the words "not more than sixteen years." He said his object was to make it clear that children could be dealt with up to the age of sixteen.

Amendment moved—

"In page 29, line 5, to leave out the word 'less,' and to insert the words 'not more.'"—(*Lord Leigh.*)

EARL BEAUCHAMP resisted the Amendment. It was not quite clear what exactly was the noble Lord's intention in putting down the Amendment. If it was to enable persons between sixteen and seventeen years of age to be sent to reformatories, that was open, though not so seriously, to the objection raised to Lord Kinnaird's Amendment. But in the form in which it was drawn the Amendment would have practically no effect at all. A boy who was sixteen years and one day was more than sixteen. Therefore the only difference between the language in the Bill and that in the Amendment was that under the Amendment a lad could be sent to a reformatory on his sixteenth birthday. Unless he was tried on his sixteenth birthday there would be no point in it.

Amendment, by leave, withdrawn.

VISCOUNT HILL moved to leave out from the beginning of subsection (1) the word "convicted" and to substitute the word "adjudged." In the opinion of many people, the word "convicted" was too strong, and he hoped the noble Earl would accept his Amendment.

Amendment moved—

"In page 29, line 5, to leave out the word 'convicted,' and to insert the word 'adjudged.'"—(*Viscount Hill.*)

EARL BEAUCHAMP said the noble Viscount's Amendment was practically the same as that moved by Lord Kinnaird with which the Committee had already dealt.

Amendment, by leave, withdrawn.

EARL BEAUCHAMP moved an Amendment the object of which was to enable the Court, instead of sentencing a youthful offender to imprisonment, to make a Probation Order under the Probation of Offenders Act of last year.

Amendment moved—

"In page 29, line 20, to leave out the words 'commute the order to such sentence of imprisonment,' and to insert the words 'in lieu of the detention order make such order or pass such sentence.'"—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Consequential Amendment agreed to.

Clause, as amended, agreed to.

Clause 59:

EARL RUSSELL asked the noble Earl in charge of the Bill what was meant by the words "any person may bring before a petty sessional Court any person apparently under the age of fourteen years." Did they mean bring them by way of summons, or was it intended that they should be physically brought before the Court?

EARL BEAUCHAMP did not think it was contemplated that physical force should be used, but merely that proceedings should be taken in the legal fashion. If, however, it was not clear he would see to it on Report.

*LORD KINNAIRD moved an Amendment with the object of giving power to magistrates to take a child away from the mother if the latter were a reputed thief or prostitute. This, he explained, was merely restoring the clause to the shape it assumed when originally introduced in the other House. There was considerable feeling in the matter, and he hoped the Government would accept the Amendment.

Amendment moved—

"In page 30, lines 10 and 11, to leave out the words 'other than the mother of the child.'"—(*Lord Kinnaird.*)

EARL BEAUCHAMP said the Government could not accept the Amendment. If a child was living alone with its mother she had a right to its custody. The clause was a result of a long and careful discussion in the House of Commons and represented a compromise between those who were anxious to remove children from immoral surroundings and those who thought the parental right should not be interfered with.

THE EARL OF MEATH said the practice in previous legislation had always been to consider the interest of the child and not that of the parent; and though he felt most deeply that it was a sad thing to have to separate a child from its mother, yet he thought the child should be rescued, if necessary, in these circumstances.

*LORD CLIFFORD OF CHUDLEIGH said that as the law had stood up to now it was open to the Court to consider whether the disreputable character of the mother was a sufficient reason for taking away the child. It might be the opinion of the Court that the circumstances were such that the child might be safely left with the mother, notwithstanding her doubtful reputation. But, as this clause stood, all power of deciding that point was taken away from the Court. As the object of the legislation was to remove the child from contaminating influences, he thought the law as it stood far preferable to the amended form.

*LORD ALVERSTONE hoped the point would be further considered by the Government. The clause as it now stood barred inquiry by the Court altogether. He had frequently discussed this point with the late Mr. Waugh, whose name would always be connected with the protection of children, and Mr. Waugh informed him that in nine cases out of ten, when they were dealing with women who came within the class described as common prostitutes, it was hoping against hope that the presence of the child would do anything to reform the mother. Seeing that the object of the Bill was to protect children, he hoped His Majesty's Government would give some attention to this point. He did not like the hands of the magistrates being tied in the way proposed.

LORD STANLEY OF ALDERLEY supported the Amendment, and said he did not think they had any right to gamble with a child's future, especially when the betting was ten to one against the possibility of the presence of the child having any effect in the reformation of the mother. In the case of a child with property whose mother had gone to the bad, the child would be made a ward and would undoubtedly be taken from her mother. He preferred the law as it now stood to the law as presented in this clause.

*THE LORD BISHOP OF ST. ALBANS urged that the matter might be reconsidered. He hoped that the Government would see their way not to exclude such children from the beneficent action of the magistrates, who might be safely trusted to use a wise discretion in each case.

LORD FITZMAURICE said that in view of the discussion the question should be carefully considered and dealt with on Report.

Amendment, by leave, withdrawn.

VISCOUNT HILL moved to amend subsection (2), which provided that—

> "Where a child apparently under the age of twelve years is charged before a court with an offence punishable in the case of an adult by penal servitude or a less punishment, the court, if satisfied on inquiry that it is expedient so to deal with the child, may order him to be sent to a certified industrial school—"

by substituting the age of "fourteen" for that of "twelve." He thought it would do no harm to add another two years, and a boy of fourteen was certainly not too old to be sent to an industrial school.

Amendment moved—

> "In page 30, line 21, to leave out the word 'twelve,' and to insert the word 'fourteen.'"—(*Viscount Hill.*)

EARL BEAUCHAMP said there was very sound authority for the Government's adhering to the age in the clause. He quoted the opinion of Colonel Legge, His Majesty's Inspector, against the age being raised as proposed, and said this view was shared by others intimately acquainted with industrial and reformatory schools.

THE EARL OF MEATH opposed the Amendment, and said there was undoubtedly much more chance of reformation in the case of boys of twelve than in that of boys of fourteen.

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 60:

EARL BEAUCHAMP moved to substitute for "young person" the words "person apparently of the age of fourteen or fifteen years." He said the object was to protect from the consequences anyone who might bring before the court a person who was apparently of the age of fourteen or fifteen, but who afterwards proved not to be.

Amendment moved—

> 'In page 32, line 19, to leave out the words 'young person,' and to insert the words 'person apparently of the age of fourteen or fifteen years.'"—(*Earl Beauchamp.*)

*LORD BELHAVEN AND STENTON asked whether it was desirable to have such loose words as those proposed. Would it not be better to say, "under fifteen years"?

EARL BEAUCHAMP did not think there was very much in the point. They had the Government draftsman behind them in suggesting the words proposed.

On Question, Amendment agreed to.

Clause, as amended, agreed to.

THE EARL OF LYTTON moved the addition of a new clause. By Clause 60, power was given to the Court to commit a young person to the care of a relative or other fit person, and in another part power was given to discharge a child to the care of a probation officer; but nowhere was any power given to commit a child to the care of a relative under the supervision of a probation officer. The object of his Amendment was to make such treatment possible. In America, where the probation system had been carried out far more extensively than in this country, the power sought to be given by his Amendment had been found of great value. It had been pointed out to him that the words "*shall* be placed" made it obligatory upon the Court that whenever a child was discharged to the care of a relative, the supervision of a probation officer should also be provided for. He admitted that his proposed new clause was, perhaps, too strong in its present form, and he would substitute "may" for "shall" and move the Amendment in that form.

Amendment moved—

"After Clause 60, to insert the following new clause: 'Where under the provisions of this part of this Act an order is made for the committal of a child or young person to the care of a relative or other fit person named by the Court, in any case where such child or young person has been charged with an offence before the Court making the order, such child or young person may be placed under the supervision of a probation officer in like manner as if he had been charged with an offence and dealt with under the Probation of Offenders Act, 1907.' "—(*The Earl of Lytton.*)

EARL BEAUCHAMP said that although in the opinion of the Home Office it would be unnecessary, after the Court had decided upon the fitness of a person, to provide for the supervision of a probation officer, he would offer no opposition to the clause in its permissive form.

On Question, Amendment agreed to.

Clause 61:

Verbal Amendment agreed to.

Clause, as amended, agreed to.

Clause 62:

EARL BEAUCHAMP moved to amend the proviso in subsection (1)—

"Provided that if it is found impossible to specify the school in the detention order, the school shall be such as a justice having jurisdiction in the place where the Court which made the order sat may by endorsement on the detention order direct,"

by inserting after the word "shall," the words "subject to the provisions of this Act with respect to the determination of the place of residence of a youthful offender or child." The object was to indicate that in fixing the school the magistrate must have regard to the place of residence according to Clause 74. The determination of the place of residence was, of course, important in settling what local authority was to be responsible for the maintenance of the youthful offender.

Amendment moved—

"In page 33, line 2, after the word 'shall,' to insert the words 'subject to the provisions of this Act with respect to the determination of the place of residence of a youthful offender or child.' "—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clauses 63 and 64 agreed to.

Clause 65:

*LORD KINNAIRD moved to extend the age-limit for detention in a reformatory school from nineteen years to twenty-one years. If a boy was sixteen when committed it would not be possible, as the clause now stood, to keep him in the reformatory school for the desired period of five years. He thought it would be admitted that the older the boy was when committed to the school the longer it would take to reform him.

Amendment moved—

"In page 34, line 7, to leave out the word' 'nineteen,' and to insert the words twenty-one."'—(*Lord Kinnaird.*)

EARL BEAUCHAMP said the Government were of opinion that the youthful offender should not in any case be kept in a reformatory school until he reached the age of twenty-one. The maximum age for detention was deliberately changed by Parliament from twenty-one to nineteen owing to experience gained, and he thought it wise to adhere to that age.

Amendment, by leave, withdrawn.

Clause agreed to.

Clauses 66 and 67 agreed to.

Clause 68:

THE EARL OF CAMPERDOWN moved to amend subsection (1)—

"(1) Every youthful offender sent to a certified reformatory school shall, on the expiration of the period of his detention, if that period expires before he attains the age of nineteen years, remain up to the age of nineteen under the supervision of the managers of the school,"

by adding, after the word "remain" the words "for two years or." As the subsection stood, if the youthful offender was eighteen and a half when convicted he would only remain for six months.

Amendment moved—

"In page 36, line 31, after the word 'remain,' to insert the words 'for two years or.'"—(*The Earl of Camperdown.*)

EARL BEAUCHAMP could not accept the Amendment. He had already stated the objections to an extension of the age-limit.

Amendment, by leave, withdrawn.

Clause agreed to.

Clauses 69 to 73 agreed to.

Clause 74:

THE EARL OF DONOUGHMORE moved to leave out subsections (1) and (2), viz.—

"Where a youthful offender is ordered to be sent to a certified reformatory school, it shall be the duty of the council of the county or county borough in which he resides (to be specified in the order) to provide for his reception and maintenance in a certified reformatory school suitable to the case, having regard to the requirements of this Part of this Act. (2) Where a child is ordered to be sent to a certified industrial school, it shall be the duty of the local education authority of the district in which he resides (to be specified in the order) to provide for his reception and maintenance in a certified industrial school suitable to the case, having regard to the requirements of this Part of this Act."

Earl Beauchamp.

He did not move this Amendment for the purpose of pressing it upon the Government, but to secure a *locus standi* in order to draw attention to what was taking place. Hitherto it was voluntary on the part of the local authority to provide for the reception and maintenance of a youthful offender ordered to be sent from its district to a reformatory or industrial school; but by this clause it was compelled to do so, and to do so at its own cost. It was true that the Treasury gave a subvention; but, as was well known, the Treasury never handed out more money than it could possibly help, and certainly there was no guarantee that the subvention would adequately relieve the burden on the local authority. This duty had nothing whatever to do with local government. It was a national affair, and therefore its cost should be a national charge. He moved the omission of the compulsory subsections.

Amendment moved—

"In page 41, lines 6 to 17, to leave out subsections (1) and (2)."—(*The Earl of Donoughmore.*)

EARL BEAUCHAMP said this duty had been very largely exercised hitherto by progressive local authorities, and the Government considered that there was no hardship involved in making it general. There was no reason to suppose that the Treasury grant would be inadequate.

LORD BELPER said that by making this duty obligatory Parliament was compelling local authorities to spend money in this direction whether they liked it or not. The point really was that this sort of thing was constantly going on, and while members of the Government had recognised by their speeches that the incidence of local taxation was not fair at the present moment, Parliament was constantly, by all sorts of Bills, making the case more unfair, and doing so without in any way inviting the opinions of the representatives of the ratepayers. Clause 110 gave power to the Treasury to contribute to this purpose, but what they complained of was that no minimum was fixed. Therefore, the local authorities were entirely at the mercy of the Treasury, and the amount they would have to provide would depend on the sum which the Treasury would contribute. He did not know whether any assurance could be given on the point, but the subsections in question aggravated a state of things which it was recognised ought not to continue.

LORD STANLEY OF ALDERLEY agreed that there was a material difference between local authorities acting in this matter of their own free will, and being compelled to do so, and to do so at their own cost. He disliked invading the right of the people in a locality to manage their own affairs in their own way and compelling them to pay whatever charges a bureaucratic authority ordered them to pay. He thought that where the Government forced the hands of the local authorities it ceased to be a local matter and became an Imperial matter. Therefore, the local authorities had strong reason to claim that the bulk of the cost should be made a national charge.

Amendment, by leave, withdrawn.

Drafting Amendments agreed to.

*LORD LEIGH moved to omit subsection (9), viz—

"(9) A local authority may contribute towards the ultimate disposal of any inmate of a certified school for whose maintenance in such a school the authority are under this section responsible, or towards whose maintenance the authority have voluntarily contributed."

The powers given by this subsection were extremely vague; so much so, that a local authority might even set up a boy in business or give him a pension for life. He knew there was a similar provision in the Act which this Bill would repeal, but there would seem now to be an opportunity of laying down more definite terms as to the allocation of this money.

Amendment moved—

"In page 43, lines 10 to 14, to leave out subsection (9)."—(*Lord Leigh.*)

EARL BEAUCHAMP said the subsection reproduced words to be found in enactments quite lately passed, and the Government thought it would be better to retain it. It was not compulsory; it merely gave power to a local authority, where it desired to do so, to give a boy a start in life, and he thought it would be a pity to deprive the local authority of that power.

Amendment, by leave, withdrawn.

EARL BEAUCHAMP moved the insertion of a new subsection in fulfilment of a promise given during the Report stage in the other House. It was really an agreed subsection, and he hoped there would be no opposition to its insertion.

Amendment moved—

"In page 45, line 18, after the word 'Act,' to insert the following new subsection: '(18) As respects the City of London the Common Council shall, notwithstanding anything in this section, be the local authority liable for providing for the reception and maintenance in a certified reformatory school of a youthful offender committed by a court of summary jurisdiction acting in and for the city. Provided that nothing in this provision shall exempt the City of London from contributing towards the expenses incurred by the London County Council in respect of reformatory schools, but the London County Council shall in each year repay to the Common Council for each youthful offender maintained by that council a sum equal to the average cost to the London County Council in that year of the maintenance of a youthful offender in a reformatory school for whose maintenance the London County Council are responsible, which cost shall be ascertained in accordance with the directions of the Secretary of State.'"—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clause 75:

Verbal Amendment agreed to.

Clause, as amended, agreed to.

Clause 76:

Drafting Amendment agreed to.

Clause, as amended, agreed to.

Clauses 77 to 81 agreed to.

Clause 82 :

EARL BEAUCHAMP moved to amend subsection (3)—

"(3) If a parent or other person is unable to pay the sum required by the order to be paid, he shall apply to the guardians of the Poor Law union comprising the parish in which the parent or other person is resident, who, if satisfied of such liability, shall give the parent or other person sufficient relief to pay the sum, or so much thereof as they consider him unable to pay, and the money so given shall be charged to the parish as provided by the Elementary Education Act, 1876, in the case of money given for the payment of school fees'"—

by omitting the words "and the money so given shall be charged to the parish as provided by the Elementary Education Act, 1876, in the case of money given for the payment of school fees." This Amendment was drafted by the Local Government Board, who suggested that the relief which was given ought to be charged to the union and not to the parish.

Amendment moved—

"In page 50, line 2, to leave out from the word 'pay' to the end of the clause.'"—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clauses 83 to 86 agreed to.

Clause 87 :

Verbal Amendment agreed to.

Clause, as amended, agreed to.

Clauses 88 and 89 agreed to.

Clause 90 :

Drafting Amendments agreed to.

Clause, as amended, agreed to.

Clause 91 :

EARL BEAUCHAMP moved to delete the words—

"And where any such officer can only be removed with the consent of a Secretary of State or the Local Government Board, such consent shall be part of the tenure of his office."

He explained that the words were inserted with the object of preserving the rights of the officers at the London County Council school at Feltham. It was thought that they had certain rights and could not be removed without the consent of the Secretary of State or of the Local Government Board, but on inquiry it was found that none of the officers had this right. It was, therefore, now proposed to omit the words as unnecessary. The Amendment was agreed to by the London County Council.

Amendment moved—

"In page 53, line 10, to leave out from the word 'passed' to the end of the clause."—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clause 92 :

Drafting Amendment agreed to.

Clause, as amended, agreed to.

Clauses 93 to 96 agreed to.

Clause 97 :

Drafting Amendment agreed to.

Clause, as amended, agreed to.

Clauses 98 and 99 agreed to.

Clause 100 :

*LORD KINNAIRD moved to add at the end of the clause, which provided that —

"The conviction of a child or young person shall not be regarded as a conviction of felony for the purposes of any disqualification attaching to felony."

the words "except as provided in Clause 59, section (3)." These words seemed to him to be necessary; otherwise convicted children might be prevented from being sent to industrial schools.

Amendment moved—

"In page 58, line 6, after the word 'felony,' to insert the words 'except as provided in Clause 59, subsection (3).'"—(*Lord Kinnaird.*)

EARL BEAUCHAMP declared the Amendment unnecessary. Clause 100 simply provided that the conviction of a child or young person should not be regarded as a conviction of felony. Subsection (3) of Clause 59, which the noble Lord referred to, enabled the Court to send a boy or girl in certain circumstances to an industrial school instead of to a reformatory school. That power already existed, and the child could be sent without the words which the noble Lord wished to add.

Amendment, by leave, withdrawn.

Clause agreed to.

Clauses 101 to 107 agreed to.

Clause 108 :

Drafting Amendments agreed to.

Clause, as amended, agreed to.

Clause 109 :

Drafting Amendments agreed to.

Clause, as amended, agreed to.

Clause 110 :

Drafting Amendment agreed to.

Clause, as amended, agreed to.

Clause 111 :

EARL BEAUCHAMP moved to amend subsection (3), which ran—

> " His Majesty may by Order in Council under the Metropolitan Police Courts Acts, 1839 and 1840, provide for the establishment of one or more separate juvenile courts for the metropolitan police court district and for assigning as a division to each such court such portion of that district as may be specified in the order "—

by adding words at the end to enable the Secretary of State to require the county council to provide the necessary accomodation, although the expense of it would be defrayed by the Secretary of State out of the Police Fund.

Amendment moved—

> " In page 63, line 33, after the word ' order,' to insert the words ' and where such an order is made the London County Council shall, if so required by the Secretary of State, provide the necessary accommodation for the purpose at any place of detention provided by the council upon such terms as to payment and otherwise as may be agreed between the Secretary of State and the Council, or in default of agreement, as may be settled by the Treasury.' "—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clause 112 :

EARL BEAUCHAMP asked permission to transfer Clause 112 (Prohibition on children being present in Court during the trial of other persons) to Part VI.—the miscellaneous and general section.

THE LORD CHAIRMAN said it would be necessary to negative the clause here, and to move its insertion when Part VI. was reached.

Amendment moved—

> " To leave out Clause 112."—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause 113 agreed to.

Clause 114 :

EARL BEAUCHAMP moved to substitute " April " for " January " in this clause, which ran—

> " This Part of the Act shall not apply in the case of any proceedings instituted before the first day of January, nineteen hundred and nine.' '

Amendment moved—

> " In page 64, line 14, to leave out the word ' January,' and to insert the word ' April.' "—(*Earl Beauchamp,*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clause 115 agreed to.

EARL BEAUCHAMP then moved the insertion of the words which formerly constituted Clause 112.

Amendment moved—

"After Clause 116, to insert the following new clause, 'No child (other than an infant in arms) shall be permitted to be present in Court during the trial of any person charged with an offence, or during any proceedings preliminary thereto, and if so present he shall be ordered to be removed, unless he is the person charged with the alleged offence, or during such time as his presence is required as a witness, or otherwise for the purposes of justice. Provided that this section shall not apply to messengers, clerks, and other persons required to attend at any Court for purposes connected with their employment.' "—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clauses 116 and 117 agreed to.

Clause 118:

Drafting Amendments agreed to.

THE EARL OF DONOUGHMORE moved to leave out subsection (2), which provided that—

"Any constable who finds a person wandering from place to place and taking a child with him may, if he has reasonable ground for believing that the person is guilty of an offence under this section, apprehend him without a warrant, and may take the child to a place of safety in accordance with the provisions of Part II. of this Act, and that Part shall apply accordingly as if an offence under this section were an offence under that Part."

It was nothing new that a constable might arrest a man without a warrant when he saw him actually committing a crime; that was obviously commonsense. But this subsection went a great deal further, and was, as far as he knew, unprecedented. Under this subsection a constable would be empowered to arrest a man without a warrant on suspicion that his child was not being properly educated. Surely that was not a crime of sufficient magnitude to justify power of arrest without a warrant being given. The procedure known as the school attendance committee procedure was the proper method of dealing with an offence of this kind.

Amendment moved—

"In page 65, lines 20 to 26, to leave out subsection (2)."—(*The Earl of Donoughmore.*)

EARL BEAUCHAMP regretted that he noble Earl regarded the provision [illegible] he subsection [illegible] can only be [illegible] in [illegible] the consent of a Sec[illegible] [illegible] as extreme. It was, as a matter of fact, the only way in which the object of the clause could really be carried out. In the case of vagrant children the difficulty was to catch the persons concerned. If the course suggested by the noble Earl were adopted, by the time the warrant was obtained the vagrant would have disappeared carrying the child triumphantly with him.

LORD FARRER hoped Lord Donoughmore would allow the subsection to stand. He knew from personal experience the difficulty of dealing with these cases. On one occasion a number of these people encamped on ground near his residence; there were eleven vans in all, and the children numbered thirty. In his endeavour to get the names he appealed to the police, but they declined to go on to common land unless they received instructions from the Lord of the Manor. To get the necessary sanction from the Lord of the Manor took five hours, and by that time every one of the vans had disappeared. This illustrated the extreme difficulty of dealing with these people without some such provision as that proposed. He believed the County Councils Association were unanimous in wishing for legislation of this kind.

*LORD CLIFFORD OF CHUDLEIGH urged the Committee to support the Government in this matter. These people evaded the present powers by their rapid means of locomotion, and without the subsection he was afraid the clause would be inoperative. The matter had been considered by the County Councils Association, and they were anxious that some practical powers should be given.

THE EARL OF DONOUGHMORE expressed his willingness, after what had been said, to withdraw the Amendment.

Amendment, by leave, withdrawn.

Clause, as amended, agreed to.

Clause 119 agreed to.

THE EARL OF CARLISLE, in the absence of Lord Monkswell, moved the insertion of a new [illegible] page 58 [illegible] new clause. It was, he said, practically the same as a clause in the Licensing Bill now under consideration in the other House, but it seemed to him that it would be a very desirable addition to this Bill. Even supposing the Licensing Bill to be perfectly safe, it would be an awkward arrangement that persons dealing with cases of this kind should have to look for their authority to two different Acts of Parliament. The clause followed the universal colonial practice. There it was found to act perfectly well; the only difference was that in the Colonies the age was much higher. The Amendment carried out the temperance and hygienic teaching now given in schools, and embodied the policy of trying to instil temperance rather through the young than through adults.

Amendment moved—

"After Clause 119, to insert the following new clause: (1) The holder of the licence of any licensed premises shall not allow a child to be at any time in the bar of the licensed premises except during the hours of closing. (2) If the holder of a licence acts in contravention of this section, or if any person causes or procures, or attempts to cause or procure any child to go to or be in the bar of any licensed premises, except during the hours of closing, he shall be liable on summary conviction, to a fine not exceeding, in respect of the first offence forty shillings, and in respect of any subsequent offence five pounds. (3) If a child is found at the bar of any licensed premises except during the hours of closing, the holder of the licence shall be deemed to have committed an offence against this section unless he shows he has used due diligence to prevent the child being admitted to the bar. (4) Where any person is charged with an offence under this section in respect of a child who is alleged in the charge to be under the age of fourteen, and the child appears to the Court to be under that age, the child shall be deemed to be under that age unless the contrary is shown. (5) Nothing in this section shall apply in the case of a child who is resident but not employed in the licensed premises or in the case of premises constructed, fitted, and intended to be used in good faith for any purpose to which the holding of a licence is merely auxiliary. (6) The bar of licensed premises means any open drinking bar or any part of the premises exclusively or mainly used for the sale and consumption of intoxicating liquor.' "—(*The Earl of Carlisle.*)

EARL BEAUCHAMP said the Amendment was really the introduction of practically foreign matter. The Bill had been received with such approval on both sides that the insertion of the proposed new clause might make its passage difficult. In these circumstances he hoped the noble Lord would not press it.

Amendment, by leave, withdrawn.

Clause 120 agreed to.

Clause 121 agreed to.

THE LORD CHANCELLOR moved to insert after Clause 121 the following new clause:—" Where a woman is convicted of the murder of her infant, and that child was under the age of one year, the Court may, in lieu of passing a sentence of death, sentence her to penal servitude for life or any less punishment." The fact was that the passing of sentence of death upon a woman convicted of this offence was, if one might thus speak of so terrible an occurrence, a mockery. As a matter of fact, it had not been carried out in such cases since 1849. The practice had always been to let these unhappy women out after about three years imprisonment. He thought that public opinion was shocked at the idea of the death sentence being passed in cases where it was manifestly inhuman to carry it out, and, on the other hand, it was very much to be regretted that the death penalty should be nominally inficed when there was no reality behind it. Juries were in the habit of taking things upon themselves; they would not convict in many of these cases, and, if they did convict, it was for a minor offence. He did not propose that the death sentence should never be passed. He could conceive cases in which it would be appropriate, although he was glad to think they would be very few; but what he proposed was to allow an option to the Judge.

Amendment moved—

"After Clause 121, to insert the following new clause: 'Where a woman is convicted of the murder of her infant, and that child was under the age of one year, the Court may, in lieu of passing a sentence of death, sentence her to penal servitude for life or any less punishment.' "—(*The Lord Chancellor.*)

LORD ALVERSTONE said the noble and learned Lord had raised a most difficult and delicate question, and he was a little sorry that it had been raised in this Bill, because the Amendment was very far outside the original scheme of the Bill. It was quite true that Judges who had the great responsibility of passing sentence in such cases felt at times that they were obliged to pass a sentence which they knew would not be carried out; but he did not think it right to speak of this as a mockery. He agreed that there were cases in which it was desirable that the death sentence should not be carried out, but he was not sure, in the general interests of human society, it was not better that this should be part of the prerogative of mercy rather than part of the judicial function. Nobody felt more than he did that in these cases the woman was often very much more sinned against than sinning. But the clause as framed went rather far. It was a very grave matter for consideration whether such an option as that set forth in the clause should be given in cases in which the circumstances were not such as those to which the Lord-Chancellor had referred. The longer he lived and the more he was brought into contact with the criminal law, the more was he satisfied that it was essential that the death penalty should be maintained. However, the contention which he submitted to their Lordships in this case was merely that the question before them was a very grave one, which ought to be very fully and carefully considered. There were, no doubt, cases in which it would be a relief to possess the power suggested, but it was a grave alteration of the law which was suggested, and it would, he thought, have been better if it had not been dealt with in this Bill. It certainly had nothing to do with the protection of children in the ordinary sense of the phrase. The alteration of the law might in itself be a valuable one. There was a very great deal to be said on both sides of the question. He did not think, however, that it could be dismissed quite so briefly as the Lord-Chancellor had dealt with it, by applying the word mockery to proceedings under the existing law. The matter was a very grave and serious one, and he was not satisfied by the opinion of his noble and learned friend on the woolsack, notwithstanding the respect in which he held that opinion.

THE LORD CHANCELLOR recognised that it was a serious matter to propose any commutation of the death-sentence. Referring to the question whether such a clause ought to be introduced into this Bill, he pointed out that there would probably not be another opportunity of bringing in a Bill or clause dealing with the subject for a considerable time. The matter related to children and the protection of children. If the Committee thought it proper to reject the clause, let them do so on its merits. He had not the least intention of using the word "mockery" offensively. To pass sentence of death, however, was a very solemn matter. He did think it was a mockery—if he might be permitted the use of the word—that such a sentence should be passed without the probability that it would be carried into effect and when it related to a class of cases for which for upwards of fifty years there had been no execution. Capital punishment in these cases had practically become obsolete in England, and he was thankful that that was so. He did not propose to abolish sentence of death. If it were thought desirable that this punishment should be imposed in a particular case, the new clause left the matter to the discretion of the Judge. His view was that if the Judge thought capital punishment ought not to be inflicted, he ought to be able to say so and to make the outward form of the sentence correspond to the reality. Those who had been trained in the study and practice of the law—including himself—were not able without an effort to do justice to a question of this kind. It was a matter for the considered common-sense of men of the world whether it was not better that the appearance of a Court of Justice should correspond to the reality.

*THE MARQUESS OF LANSDOWNE: I do not rise with any idea of discussing the Amendment of my noble and learned friend upon its merits. I think I am probably expressing the opinion of many lay Members of your Lordship's House when I say that, after listening to the speeches that have been delivered, I should feel very great difficulty in deciding how to vote if I were compelled to record my vote this evening. I think the noble and learned Lord the Lord Chief Justice himself frankly admitted that there was a great deal to be said on both sides in regard to this question. What I shall venture to suggest is this. To the best of my belief this Amendment only appeared on the Paper this morning; at any rate, most of us have had no opportunity of considering the question deliberately, and I would ask the noble and learned Lord whether, in these circumstances, he would not consent to let the matter stand over until Report, by which time we shall have had fuller opportunity of examining the matter.

THE LORD CHANCELLOR assented.

Amendment, by leave, withdrawn.

Clause 128:

LORD ALVERSTONE pointed out that this clause incorporated the provisions of the Summary Jurisdiction Act 1879. By Sections 10 and 11 of that Act the magistrate could only deal with children with the consent of either parent or guardian. He feared that if it got about that under this new legislation only consent could give the magistrate jurisdiction parents and guardians might be inclined to withhold their consent. It was obviously important that in the Courts for dealing with these cases the magistrates should have this power without the consent of the parent or guardian.

Amendment moved—

"In page 70, line 19, after the word 'thereto,' to insert the words 'Provided that notwithstanding anything contained in Sections ten and eleven of the Summary Jurisdiction Act, 1879, the justices shall have jurisdiction to deal with any charge against a child or young person without his consent or the consent of the parent or guardian of the person so charged.'"—(*Lord Alverstone.*)

EARL BEAUCHAMP said that, in the opinion of the Government, the Amendment went too far. It clearly would deprive a child and young person of their right to be tried by jury on any charge of an indictable offence, except homicide. Great importance was attached to the privilege of the possibility of trial by jury, and it would be a serious matter to take that right away from children and young persons in the ruthless way proposed.

LORD ALVERSTONE hoped the noble Earl would consider the matter with a view to some alteration. He could not help thinking that the necessity for consent might render part of the Bill of very little use.

EARL BEAUCHAMP invited the noble and learned Lord to put down words for Report, and the Government would consider them.

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 129 agreed to.

Clause 130:

EARL BEAUCHAMP moved to define the expression "Common Council" as meaning the mayor, aldermen, and commons of the City of London in common council assembled.

Amendment moved—

"In page 71, line 4, after the word 'person' to insert the words 'The expression "Common Council" means the mayor, aldermen, and commons of the City of London in common council assembled.'"—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause as amended, agreed to.

Clause 131:

EARL BEAUCHAMP explained that the Amendments standing in his name to this clause had been drawn up by the Scottish Office. They were designed to make the Bill apply to Scotland, and he could assure their Lordships that none of the Amendments took more power for Scotland than would exist in England.

Amendment moved—

"In page 71, line 40, to leave out from the word 'shall' to the end of line 41, and to insert the words 'for the purposes of Part I. of this Act have the same powers of making inquiries, calling for Returns, and applying to the Court of Session as they have for the purposes of the Poor Law (Scotland) Act, 1845.'"—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Amendment moved—

"In page 76, line 34, after the word '1890,' to insert the words 'Provided that, in the case of a Royal parliamentary or police burgh, the expression "police authority," where occurring in Section 59 and in Section 120 of this Act, means the town council; and provided further, that where in any such burgh expenses chargeable to the police fund or as part of the current expenses of a police authority would, under the existing law, be payable out of the burgh general assessment, expenses so chargeable under the provisions of this Act shall be defrayed as expenses incurred by a town council under Section seventy-four of this Act.' "—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Drafting Amendments agreed to.

Amendment moved—

"In page 77, after subsection (24), to insert the following new subsection: (25) Subject to the provisions hereinafter contained, nothing in this Act shall be construed to repeal, alter, prejudice, or affect any of the provisions of the Glasgow Juvenile Delinquency Prevention and Repression Acts, 1878 and 1896 (hereinafter referred to as the Glasgow Acts), and the Commissioners and directors acting under the Glasgow Acts shall continue to have the full rights, privileges, and powers at present competent to them. Provided, nevertheless, that the Secretary for Scotland may, by order under his hand, provide for altering, amending, or adapting the Glasgow Acts so as to provide: (*a*) For the retiral of the existing directors, for the reconstitution of the board of directors, for the election of new directors, for subsequent elections of directors, for the annual retiral of one-third of the directors, and for supplying vacancies arising from time to time; (*b*) for the assessments authorised to be levied under the Glasgow Acts being levied in the same manner as assessments for the expenses of a town council for the purposes of Section seventy-four of this Act instead of as in the Glasgow Acts provided, and for the reduction of the maximum amount thereof, if thought proper, and for the application of the said assessments; (*c*) for authorising the said directors to grant securities over all lands and heritages vested in them, including school houses; (*d*) for raising the age up to which, under the Glasgow Act, a child may, upon the request of the school board, if the Court think it expedient, be sent to a certified day industrial school from thirteen years to fourteen years, and for providing that any order for payment of contributions by a parent under the Glasgow Acts shall be enforceable as a decree for aliment; and (*e*) for otherwise altering, amending, or adapting the provisions of the Glasgow Acts, as may seem to him necessary to make those provisions conform with the provisions of this Act, or to enable the powers under the Glasgow Acts to be exercised as if they were powers under this Act. Any such order may be revoked and varied by a subsequent order.' "—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clause 132:

THE EARL OF MEATH moved to amend the subsection which made it unlawful for a pawnbroker in Ireland to take an article in pawn from any person apparently under the age of thirteen, by making the age fourteen. He pointed out that the Bill had already made the age fourteen in England, and argued that there was no reason for making any difference in the case of Ireland. The only argument he had heard which at all appealed to him was that Irish children were so much more intelligent, that an Irish child of thirteen could be considered equal to an English or Scottish child of fourteen. His Amendment was supported by at least fourteen Irish associations which had petitioned and passed resolutions in its favour, and he appealed to their Lordships to prevent what he regarded as a really unnecessary differentiation between Great Britain and Ireland.

Amendment moved—

"In page 78, line 31, to leave out the word 'thirteen,' and to insert the word 'fourteen.'" —(*The Earl of Meath.*)

EARL BEAUCHAMP resisted the Amendment. If, he said, it were accepted now, there was no chance of its meeting with approval in another place. The subject was there discussed at considerable length, and the age in the clause was arrived at as a kind of compromise. Up till now there had been no age-limit in this matter in Ireland, and it was thought rather hard that the age should be made at once as high as in England, where for many years this restriction had existed.

LORD ATKINSON said it seemed to him that the subsection was inserted not to further the objects of the Bill, but to benefit the pawnbrokers of Ireland at the expense of Irish children.

THE EARL OF DONOUGHMORE associated himself with the noble Earl who moved the Amendment. He was, he said, connected with several clothing and similar organisations, and his experience was that it was almost impossible to keep children warm during winter if they were allowed on any occasion to pawn their clothes for the purpose, possibly, of a bet on a horse or buying cigarettes. He thought there should be no differentiation in the matter of age.

On Question, Amendment agreed to.

THE EARL OF **DONOUGHMORE** then moved the Amendment which he had previously moved to Clause 11, but had withdrawn on the suggestion of Earl Beauchamp.

Amendment moved—

"In page 79, line 8, after subsection (16), to insert, as a new subsection, the words, 'The provisions relating to exemptions from Part 1 of this Act shall include any religious or charitable society which shall pay any person for keeping an infant, or to the person so employed, provided that such society shall have obtained from the Local Government Board a certificate that it is a fit and proper institution to be exempted from the provisions of that part of this Act.'"—(*The Earl of Donoughmore.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Clause 133:

EARL **BEAUCHAMP** moved to substitute the 1st day of April, for the 1st day of January, 1909, as the day when, save as otherwise expressly provided, the Act should come into operation.

Amendment moved—

"In page 82, line 24, to leave out the word 'January,' and to insert the word 'April.'"—(*Earl Beauchamp.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

Schedules agreed to.

Standing Committee negatived; the report of Amendments to be received on Monday next, and Bill to be printed as amended. [No. 220.]

House adjourned at Eight o'clock, till To-morrow, a quarter past Four o'clock.

HOUSE OF COMMONS.

Wednesday, 4th November, 1908.

The House met at a quarter before Three of the Clock.

PRIVATE BILL BUSINESS.

MESSAGE FROM THE LORDS.

That they have passed a Bill, intituled, "An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act, 1899, relating to Kirkcaldy and Dysart Water." [Kirkcaldy and Dysart Water Order Confirmation Bill [Lords.]

Kirkcaldy and Dysart Water Order Confirmation Bill [Lords],—Ordered (under Section 7 of the Private Legislation Procedure (Scotland) Act, 1899) to be considered To-morrow.

PETITIONS.

CHILDREN BILL.

Seven Petitions from Southampton, in favour; to lie upon the Table.

IMPORTATION OF PLUMAGE BILL.

Petition from Luton, against; to lie upon the Table.

LICENSING BILL.

Six Petitions from Southampton, for alteration; to lie upon the Table.

Petitions in favour: From Keighley; Leven; Salford and Higher Broughton; Southampton; South Woodford; and, Sunderland; to lie upon the Table.

POOR LAW AMENDMENT (SCOTLAND) BILL.

Petition from Kincardine O'Neil, in favour, to lie upon the Table.

RETURNS, REPORTS, ETC.

ARMY.

Copy presented, of Statement showing the Strength of the Regular Army, Special Reserve, and Territorial Force on 1st October 1908 as compared with the strength on 1st October 1905 [by Command]; to lie upon the Table.

LIVERPOOL AND HONG KONG MAIL SERVICE.

Return presented, relative thereto [ordered 3rd November; *Mr. Hobhouse*]; to lie upon the Table and to be printed. [No. 314.]

CHECKING OF PIECE-WORK WAGES IN DOCK LABOUR (DEPARTMENTAL COMMITTEE).

Copy presented, of Report of the Departmental Committee on the Checking of Piece-work Wages in Dock Labour. Report, etc., Minutes of Evidence [by Command]; to lie upon the Table.

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

System of Promotion in Glasgow Post Office.

MR. PATRICK O'BRIEN (Kilkenny): To ask the Postmaster-General if it has been brought within his knowledge that considerable discontent exists at the Glasgow post office as a consequence of the methods by which promotions are made at that office; if he has received several protests from the aggrieved officers; and if he will investigate the alleged favouritism in the recent promotion of two junior assistant inspectors of postmen over the heads of senior officers, several of whom the local postmaster admitted were thoroughly qualified.

(*Answered by Mr. Sydney Buxton.*) I have inquired into and have answered the representations to which the hon. Member refers.

Scottish Laws regarding Pilots and Navigation.

MR. JOYCE (Limerick): To ask the President of the Board of Trade whether, in view of the hardship of the case of Pilot William M'Kinlay, who was convicted of an alleged offence of reckless navigation by the Glasgow Sheriffs Court on 15th May last, he proposes to take any steps to bring about an amendment of the law so as to assimilate the law of Scotland as far as possible with that of the other parts of the United Kingdom, and so prevent the recurrence of similar cases.

(*Answered by Mr. Churchill.*) So far as I am aware, the law in Scotland in cases such as those referred to by the hon. Member is practically the same as in other parts of the United Kingdom. I have, however, under consideration the question of instituting an inquiry into various matters affecting pilotage throughout the United Kingdom. Should such an inquiry take place, the pilots will doubtless be afforded an opportunity of submitting evidence as to any points in which they think the law requires amendment.

Casual Assistance at the Post Office—Age Limit.

MR. BOWERMAN (Deptford): To ask the Postmaster-General whether, in the engagement of casual assistance during the forthcoming pressure of work in various departments of the Post Office, he will consider the propriety of revoking the rule that no one beyond the age of forty years shall be eligible for such employment.

(*Answered by Mr. Sydney Buxton.*) I amended the rule referred to two years ago, when I raised the limit of age to forty-five.

Ex-Soldiers and Ex-Sailors and Postal Appointments.

MR. T. F. RICHARDS (Wolverhampton, W.): To ask the Postmaster-General whether there is any rule or custom, and, if so, to what extent, to exclude the general public from employment in any of the postal departments; whether ex-soldiers or ex-sailors have any preference of employment; and, if so, in what departments and to what extent.

(*Answered by Mr. Sydney Buxton.*) The general public have access, either directly or after service in lower grades, to all situations in the Post Office, except to one-half of the vacancies for postmen and porters and a few other posts, such as lift attendant, which, under an arrangement of many years' standing, are allotted to ex-soldiers and ex-sailors.

Removal of Disqualifications under the Unemployed Workmen's Act—Notice to Distress Committees.

MR. WALTER LONG (Dublin, S.): To ask the President of the Local Government Board, what action has been taken to communicate to the central bodies and distress committees established under the Unemployed Act the decision of the Government that the Poor Law and two years' disqualification are removed; how many of the schemes submitted by the Central (Unemployed) Body for London to the Local Government Board have been approved since the recent debate on the unemployed; how many schemes so submitted by the Central Body have not yet been approved; and is there any reason why, after the declaration of the Premier that the rules would be relaxed as far as possible, these schemes should not at once be passed.

(*Answered by Mr. John Burns.*) An order to amend the regulations under the Unemployed Workmen Act is necessary to give effect to the decision to which the right hon. Gentleman refers. The order is in preparation and will be issued at the earliest date practicable. Before the recent debate took place I had made payments to the Central (Unemployed) Body out of the grant amounting to over £18,000 in respect of four considerable undertakings. I have since approved ten other schemes, three of them provisionally. Further schemes are being matured by the Central Body, and I am prepared to deal with them without delay.

Injuries to Cattle in Ennis.

MR. BARRIE (Londonderry, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland what was the number of applications for compensation for malicious injuries to cattle heard at the recent Ennis Quarter Sessions; what was the number of cattle (including sheep) driven on the occasion of each drive for which compensation was awarded; and what was the amount of compensation granted in each case.

(*Answered by Mr. Birrell.*) The particulars are as follows:—

Applications for compensation.	Nature of malicious injury to cattle.	Number of cattle (including sheep) driven on the occasion of each cattle-drive for which compensation was awarded.	Amount of compensation granted in each case.			Remarks.
			£	s.	d.	
1	Poisoning a heifer	—		—		Dismissed
2	Injury to cattle by cutting their tails	—	10	0	0	
3	Driving cattle -	6	40	0	0	
4	,, -	10	10	0	0	
5	,, -	127	21	6	0	
6	,, -	120	6	0	0	
7	,, -	112	3	3	0	
8	,, -	9	1	2	6	
9	,, -	121	10	0	6	
10	,, -	210	153	16	6	
11	,, -	174	12	7	6	
12	,, -	—		—		Dismissed
13	,, -	—		—		,,
14	,, -	—		—		,,

South African Garrison.

SIR GILBERT PARKER (Gravesend: To ask the Secretary of State for War, whether it is intended to concentrate the troops in South Africa at some point in Cape Colony, like Port Elizabeth or elsewhere, to form a kind of Aldershot; and, if so, what is intended to be done with the cantonments at Middleburg, in the Transvaal, at Bloemfontein, and elsewhere.

(*Answered by Mr. Secretary Haldane.*) No, Sir. There is no such intention.

Commutations of Pensions of Soldiers Desiring to Emigrate.

MR. PIKE PEASE (Darlington): To ask the Secretary of State for War whether any representations have been made on behalf of the Governments of the self-governing Colonies for commuting the pensions of ex-soldiers under the age of fifty desiring to settle in British Colonies; the nature of these representations; and his Answers thereto.

(*Answered by Mr. Secretary Haldane.*) Representations have been made on behalf of the Government of Australia suggesting that Army pensioners should be allowed to commute the whole of their pensions at the age of 50, or that partial commutation should be so arranged that the pension should revive at sixty. The Army Council were unable to entertain either proposal; but they are considering the desirability of allowing Army pensioners in receipt of more than 1s. a day to commute the excess over 1s. at an earlier age than fifty. As explained to the hon. Member for Hastings on 26th October, I am not yet in a position to make any statement on this point.

Maintenance of Poor Law Children outside the United Kingdom.

MR. REES Montgomery Boroughs): To ask the President of the Local Government Board whether the Government proposes so to amend the law as to allow Boards of Guardians to contribute to the expenses of Poor Law children out of the United Kingdom, provided the cost of such maintenance is considerably lower than that which would have been incurred in respect of the same children in the United Kingdom.

(*Answered by Mr. John Burns.*) I do not think I can give any promise to introduce a Bill for this purpose.

Vagrancy and Farm Colonies.

MR. PIKE PEASE: To ask the President of the Local Government Board whether the recommendations of the Departmental Committee on Vagrancy anent the setting up of farm colonies will be considered by the Government when framing any fresh legislation upon the Poor Law.

(*Answered by Mr. John Burns.*) The vagrant question forms part of the general problem of the relief of the poor, and must, I think, necessarily be considered in connection with any proposed Poor Law legislation.

Old-Age Pensions—Notice of Appeal against Disqualification.

MR. W. JOHNSON (Warwickshire, Nuneaton): To ask the President of the Local Government Board whether he will consider the advisability of altering form O.A.P., No. 5A, notice to claimant of disallowance of claim for an old-age pension, by giving a longer period than seven days for sending notice of appeal against the Committee's decision, and by enclosing forms of appeal and notification with the notice.

(*Answered by Mr. John Burns.*) My hon. friend's suggestion would involve an alteration in the Old-Age Pension Regulations, and not merely in the form to which he refers. I doubt the expediency of sending forms of appeal to claimants where a claim is disallowed, as this might be interpreted as an intimation that an appeal ought to be made. But I will cause my hon. friend's suggestion to be noted for consideration should any Amendment be made in the regulations.

Old-Age Pensions—Residence Abroad.

MR. VIVIAN (Birkenhead): To ask the President of the Local Government Board whether residence of three months or more out of the United Kingdom prevents an applicant from benefiting under the Pensions Act; and does a three months' or more residence in the Isle of Man exclude an applicant from benefiting under the Act.

(*Answered by Mr. John Burns.*) An applicant for an old-age pension must, under Section 2 of the Old-Age Pensions Act, 1908, satisfy the pension authorities that for at least twenty years up to the date of the receipt of any sum on account of a pension he has had his residence, as defined by regulations under the Act, in the United Kingdom. The regulations provide for temporary absences during the period of twenty years being disregarded if the applicant's home has throughout the absences been in the United Kingdom, and the aggregate of the absences since the beginning of the earliest of them does not exceed three years. Residence in the Isle of Man is not for the purposes of the Act residence within the United Kingdom.

Enlargement of Holdings on Drumchork Sheep Farm, Aultbea.

MR. WEIR (Ross and Cromarty): To ask the Secretary for Scotland whether he is aware that crofters, cottars, and others resident at Aultbea, Ross-shire, have applied to the proprietor of Drumchork sheep farm for an allocation of the land for enlargement of holdings and the creation of new holdings, and, seeing that the people have written to the Crofters Commission on the subject, and have asked the Congested Districts Board whether they would be prepared to take over the stock, will he ascertain why no notice has been taken of the application by either department; and, having regard to the fact that this farm was formerly in the occupation of the people, and was scheduled by the Deer Forests Commissioners as suitable for new holdings and the extension of existing holdings, will the Congested Districts Board endeavour to induce the proprietor to accede to the application made to him.

(*Answered by Mr. Sinclair.*) A communication in the sense suggested has been sent to the Crofters Commission, but no formal application has been made. In 1888 a similar application was found to be incompetent on the ground that the value of the subject in question was under £100 per annum. Since that date, by direct arrangement with the landlord, part of the farm has been assigned to crofters for enlargement of holdings, and I am informed the remainder has been let to a tenant at a rent of £52.

The Sentences on Suffragists—Right of Appeal.

MR. SWIFT MACNEILL (Donegal, S.): To ask the Secretary of State for the Home Department whether, seeing that in cases involving criminal charges the accused have a power of appeal to a higher tribunal from the decision of a magistrate, while in cases in which persons are ordered to enter into recognisances to be of good behaviour or in default to be imprisoned for a certain period by a magistrate there is no power of appeal, and the decision of the magistrate is final and absolute, since the order to enter into recognisances to be of good behaviour, with an alternative penalty of imprisonment, is not necessarily made as the result of the conviction, and is not regarded as punishment in law, but as an exercise of the preventive jurisdiction of the magistrate; and whether, having regard to the fact that the magistrate was apprised in each case arising out of the suffragist agitation that the order to enter into recognisances to be of good behaviour would not be complied with, and that the pronouncing of that order was only tantamount to passing a sentence of imprisonment, in some instances of long duration, from which there is no appeal, instructions will be given that in future in the institution of proceedings in relation to offences connected with the suffragist agitation recourse be not had by the police authorities to the issue of summonses calling upon the accused to show cause why they should not enter into their recognisances to be of good behaviour, but that steps be taken to prosecute the accused in order to secure a conviction against them in due course of law, instead of the infliction of terms of imprisonment without conviction or trial on the order of a magistrate sitting alone.

MR. SWIFT MACNEILL: To ask the Secretary of State for the Home Department whether his attention has been directed to the fact that in some of the proceedings instituted by the London police authorities in reference to matters in connection with the woman suffrage agitation summonses were issued to show cause why orders should not be made that the persons so summoned should enter into recognisances to be of good behaviour, whereas in other cases the defendants have been summoned to the police Courts for certain specified offences, such as breaches of the peace and obstruction of the public thoroughfare; and whether, regard being had to the fact that an order that a person enter into recognisances to be of good behaviour with the alternative in the event of refusal of imprisonment admits of no appeal, whereas the decision of a magistrate on a specific charge is the subject of appeal, directions will be given to the police authorities that in future, if it should be thought necessary to take proceedings against persons for offences in relation to this agitation, such proceedings will be based on definite charges triable in the ordinary way, and giving the accused persons the ordinary rights of appeal from the decision and sentence of the magistrate.

(*Answered by Mr. Secretary Gladstone.*) The Answer to both Questions is in the negative. The procedure to be adopted is a matter for the discretion of the police authorities, who are guided by the circumstances of each case, and I see no reason for any interference on my part.

Revision of Belfast Post-Office Staff.

MR. SLOAN (Belfast, S.): To ask the Postmaster-General if he has received petitions from the postal staff at Belfast regarding the proposed transfer of an overseer from the telegraph to the postal side, and certain other changes; and whether, in view of the effect of these changes upon the memorialists, the proposals have been abandoned.

(*Answered by Mr. Sydney Buxton.*) Petitions have been received, and the memorialists were informed that careful consideration will be given to their representations. The revision of the indoor force has not yet been settled.

Irish Magistrates and Licensing Cases.

MR. McKILLOP (Armagh, S.): To ask Mr. Attorney-General for Ireland whether he is aware that, in connection with a recent licensing case heard at Newtonards sessions, county Down, on 24th October last, there were upwards of forty magistrates adjudicating who were acting in contravention of the provisions of Section 60 of The Licensing (Ireland) Act (1872); whether these magistrates, disregarding a letter of the present Under-Secretary for Ireland, a copy of which was sent to them prior to the hearing pointing out the penalty entailed by said section, persisted notwithstanding in voting in the licensing application in question; whether he will take steps to enforce the penalty of £100 against each of the said magistrates as provided by the said section; and what steps he intends taking so as to ensure in future that this section is not wilfully violated, and a decision on the part of an impartial licensing tribunal thereby rendered impossible.

(*Answered by Mr. Cherry.*) I have no information on the subject, and cannot say whether any of the magistrates who adjudicated on the occasion referred to by the hon. Member were disqualified from so adjudicating under Section 60 of the Licensing Act of 1872. The Under-Secretary informs me that he did not communicate prior to the hearing of the case with any of the magistrates who appear to have adjudicated. If information is placed before me clearly establishing that any magistrate has violated the section of the Act referred to I shall carefully consider what action should be taken. It would be impossible to make any general statement on the subject, as the circumstances of each case and the evidence available must be considered before any action could be taken.

Substitution of Nickel for Bronze Coinage.

SIR WILLIAM BULL (Hammersmith): To ask Mr. Chancellor of the Exchequer if he can give any estimate of the cost of a gradual substitution of a nickel coinage for bronze in the United Kingdom, and of the disturbance to trade that would result therefrom, considering that the machines at the Mint can be easily adjusted so as to make coins of any size and metal, and that the nickel and bronze coins could be used simultaneously for most purposes until one superseded the other.

(*Answered by Mr. Lloyd-George.*) It has been estimated that the gradual substitution of a nickel for the bronze coinage now in circulation would cost at least £170,000. I have no means of estimating the precise degree of disturbance which would be caused to trade, but I am advised that it might be considerable.

Cottage for Thomas Byrne at Abbeyleix.

MR. DELANY (Queen's County, Ossory): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the cottage proposed to be built by the Abbeyleix District Council under the tenth scheme for a labourer named Thomas Byrne on the lands of Mr. George Alley, Donaghmore, Queen's County, has been disallowed by County Court Judge Fitzgerald, upon appeal at the late Maryborough Quarter Sessions; whether he is aware that the house occupied by Byrne, his wife, and family of four children, has no sanitary accommodation and no outhouse attached, and that the fowls occupy part of the dwelling-house; that Mr. Alley, for whom Byrne has been working for the past nine years, has 400 acres of land at Donaghmore, with only one union cottage thereon; and can he say what steps the Local Government Board propose taking to provide this labourer and his family with a sanitary house and plot of land to which he is entitled under the Labourers Acts.

(*Answered by Mr. Birrell.*) The Local Government Board have no information as to the proceedings in the County Court. The decision of the County Court Judge is final, and if the application has, as stated, been disallowed, the labourer can only apply once more to the district council with a view to their providing him with a cottage plot under a new scheme.

Evicted Tenants—Application of Richard Talbot.

MR. DELANY: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners have received an application for reinstatement from Richard Talbot, representative of Mrs. Meredith, who was evicted from a farm at Killart, Clonaslee, estate of the Misses Dunne, Brittas, Clonaslee, Queen's County; and, seeing that the evicted farm is in the possession of Mr. C. H. P. Dunne, uncle of the owners, and that there is other untenanted land on the estate known as Capparogan, which Mr. Talbot has offered to take in lieu of the evicted farm, can he say what is the cause of the delay in the settlement of this case.

(*Answered by Mr. Birrell.*) The Estates Commissioners have received an application for reinstatement from Richard Talbot, and it will be considered in the allotment of such untenanted land as they may be able to acquire.

Evicted Tenants—Mr. J. F. M'Quade of Drumhirk.

MR. SLOAN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state on what grounds the Estates Commissioners have declined to enforce the provisions of The Evicted Tenants (Ireland) Act, 1907, for the purpose of restoring Mr. John F. M'Quade to the holding from which he was formerly evicted in the townland of Drumhirk, on the Irvine estate, county Fermanagh; what is the cause of delay on the part of the Commissioners in acquiring this holding, compulsorily or otherwise, with a view to the reinstatement of M'Quade; and whether the Commissioners insist in restoring, where possible, each eligible evicted tenant to his former holding.

(*Answered by Mr. Birrell.*) I am unable to add anything to my reply to the Question asked by the hon. Member on the 28th October. It would be contrary to the established practice to state the reasons which actuate the Estates Commissioners in the exercise of their discretion.

Armoy (County Antrim) Water Supply.

MR. SLOAN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he is aware that the inhabitants of Armoy, county Antrim, have no water supply except a well situated beside a graveyard; if he is aware that the medical officer of health has condemned this water supply for years past; if several memorials have been forwarded to the Local Government Board from the ratepayers demanding a public inquiry into the whole matter; and whether, seeing that the Ballycastle rural council refuse to take action, he will grant the inquiry asked for.

(*Answered by Mr. Birrell.*) The Local Government Board inform me that there are eleven private pumps and one new public pump in Armoy. The medical officer of health has from time to time reported adversely on the water supply, and memorials on the subject have been forwarded to the Local Government Board by ratepayers. The Board have communicated with the rural district council, who have erected the new pump, which affords a good supply of apparently good water, and have invited tenders for another. In these circumstances, a public inquiry would not serve any useful purpose.

Infectious Diseases Prevention Act in Ireland.

SIR W. J. COLLINS (St. Pancras, W.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland how many local sanitary authorities in Ireland have adopted The Infectious Diseases Prevention Act, 1890; and what proportion of the population such sanitary authorities represent.

(*Answered by Mr. Birrell.*) 174 local sanitary authorities in Ireland, representing 62·6 of the population, have adopted the Infectious Diseases Prevention Act, 1890.

Fees for Medical Examination of Territorial Army Recruits.

VISCOUNT VALENTIA (Oxford): To ask the Secretary of State for War if he is aware of the difficulty of getting recruits for the Territorial Army medically examined by civilian doctors owing to the small fee of 1s. sanctioned by regulation; and, if so, whether he will consider the advisability of increasing the fee to 2s. 6d., at which figure it stood before the passing of the Territorial Forces Act, 1907, having in view the tax entailed on the time of the medical man who, to carry out the instructions for the physical examination of candidates, must expend nearly two hours in performing this duty.

(*Answered by Mr. Secretary Haldane.*) I think the noble Lord is under some misapprehension. 2s. 6d. was only paid in the Yeomanry; the Volunteers were generally examined by their regimental medical officers without payment of a fee. At present no fee is prescribed, but a grant of 1s. is made to an Association for each recruit passed. These grants form a fund from which fees for medical examination of recruits can be paid when necessary. It is, however, anticipated that in most cases the medical examination will be conducted by the Royal Army Medical Corps of the Territorial Force as part of their military duty.

Shortage of Subalterns in the Royal Field Artillery.

MR. CLAVELL SALTER (Hants, Basingstoke): To ask the Secretary of State for War, whether there is any, and what, shortage of subalterns in the various batteries of the Royal Field Artillery; and what steps, if any, will be taken to fill these vacancies.

(*Answered by Mr. Secretary Haldane.*) The present shortage amounts to fifty-seven, of which number of places twenty will be filled by the 1st February. The transfer of Garrison Artillery Volunteers to Field Artillery Territorial Force units caused a demand for forty-two adjutants from the Royal Field Artillery, and a corresponding deficiency among the subalterns. Steps are being taken to make good the deficiency.

QUESTIONS IN THE HOUSE.

Repairs of War Vessels.

MR. RENWICK (Newcastle-on-Tyne): I beg to ask the First Lord of the Admiralty whether, in view of the present serious depression in the shipbuilding and marine engineering industries, and the consequent large number of men unemployed, he will arrange that the necessary repairs to war vessels and their machinery during the coming winter will be divided between the Government dockyards and private shipbuilding and engineering establishments.

THE FIRST LORD OF THE ADMIRALTY (Mr. MCKENNA, Monmouthshire, N.): No, Sir.

MR. RENWICK asked why firms which were entrusted with shipbuilding and the provision of machinery were not entrusted with repairs.

MR. MCKENNA said that the Admiralty policy had been to give repairs chiefly, if not entirely, to the dockyards in order to give the building out to private yards.

MR. JENKINS (Chatham): In the event of the Admiralty acceding to the request of the hon. Member opposite, will he give new work to the dockyards?

MR. MCKENNA: The Admiralty have not the faintest intention of acceding to the request of the hon. Gentleman.

The Channel Fleet.

MR. HUNT (Shropshire, Ludlow): I beg to ask the First Lord of the Admiralty whether, in spite of the regulation laid down by the Admiralty that only two battleships of the active Channel Fleet should be absent at one time, in September last the Channel Fleet was at Scarborough with only six battleships, whilst the Home Fleet at the same time was hundreds of miles away, in the North of Scotland, with only ten battleships, and these of three or four different types; and whether, about the same time, the German High Sea Fleet of sixteen if not eighteen battleships was at or near Heligoland.

MR. McKENNA: Six battleships of the Channel Fleet arrived at Scarborough on 25th September last. At that date the other eight battleships of the Channel Fleet were at the home ports—three at Chatham, three at Portsmouth, and two at Devonport; four of these were ready for sea and four were refitting. At the same date, of the Home Fleet, nine battleships were at Cromarty, two were in the neighbourhood of the Nore engaged in gunlayers' tests, and one was at Devonport available for service. I cannot undertake to give information with regard to the movements of foreign Fleets.

MR. HUNT asked whether, in view of our late experience, showing how very quickly war clouds might appear on the political horizon, and also judging by the fact that some of our neighbours were not quite so fond of us as we had believed they were, the right hon. Gentleman thought that the position was safe at that time and was the same state of things likely to happen again.

MR. McKENNA: If I might use the phrase I would say "overwhelmingly safe."

MR. ARTHUR LEE (Hampshire, Fareham): For what purpose were the ships at Scarborough—for training or for the entertainment of the inhabitants?

MR. McKENNA asked for notice.

SIR GILBERT PARKER (Gravesend): With regard to the right hon. Gentleman's inability to give the information asked for in the last part of the Question, will he say is it due to lack of information or does he consider it would not be wise to give it?

MR. McKENNA: My reply is: "I cannot undertake to give the information."

The Coastguard.

MR. FELL (Great Yarmouth): I beg to ask the First Lord of the Admiralty how many coastguards were employed at the thirty-three stations which have been closed during the present year; how much will be the saving that will be effected; and, on the closing of the stations, were arrangements made with the Board of Trade for the efficient working of the life-saving appliances in every case where they had been previously worked by the coastguards.

MR. McKENNA: The reply to the first part of the hon. Member's Question is: Full complement, 173; actual numbers serving when stations were closed 136. I am unable at present to give a statement of the saving that will be effected. With regard to the last part of the Question, the Board of Trade expressed their concurrence prior to the stations being closed; none of these thirty-three stations were supplied with the life-saving apparatus.

MR. FELL asked whether the 136 men were to join the ranks of the unemployed. This could not represent a saving to the Admiralty of more than £2,000 or £3,000. Could not something be done for them?

MR. McKENNA said that to answer that Question he would have to inquire into the *status* of each one of the men.

Reservists with the Colours.

MR. RENWICK: I beg to ask the Secretary of State for War whether he will state what arrangements have been made to bring back to this country the Reservists who are allowed to emigrate in case we are at war with a Naval Power.

THE SECRETARY OF STATE FOR WAR (Mr. HALDANE, Haddington): It will be the duty of each individual

Reservist to use the funds with which he will have been furnished, in effecting as expeditious and safe a journey home as he can.

Army Horses.

MR. MOONEY (Newry): I beg to ask the Secretary of State for War whether he can inform the House what percentage of horses used in the Army are bred in Ireland, or, failing this, what proportion of Army horses have been procured in Ireland during the last five years.

MR. HALDANE: It is not possible to state what proportion of the horses used in the Army are bred in Ireland. During the five years ended March, 1908, 17,959 horses were purchased in the United Kingdom, and of these 11,590 were purchased in Ireland.

CAPTAIN DONELAN (Cork, E.): Does any machinery exist for purchasing Army horses direct from the breeder?

MR. HALDANE: No, I think not, but the Remount Department has very large discretion.

EARL WINTERTON (Sussex, Horsham): Do not foreign Powers obtain the best horses for Army purposes?

MR. HALDANE: I believe they compete keenly for Irish horses.

Natal Tax Bill.

SIR HENRY KIMBER (Wandsworth): I beg to ask the Under-Secretary of State for the Colonies whether he has received advices of the Tax Bill recently passed by the Natal Legislature; and whether he has received any protests against it on the ground that it alters the tenure and terms of grants made by the Government to various Colonists for valuable consideration paid by them, and in particular has reimposed special taxes upon land for non-occupation in respect of which money has been paid to the Government for the redemption of non-occupation tax and quit rents.

THE UNDER-SECRETARY OF STATE FOR THE COLONIES (Colonel SEELY Liverpool, Abercromby): The Secretary of State has received copies of an Income and Land Tax Assessment Bill, though not in its final form. A protest of the nature referred to has been received from the Natal Land and Colonisation Company, but the matter does not appear to be one in which the Secretary of State can properly interfere.

Transvaal Loan.

SIR GILBERT PARKER: I beg to ask the Under-Secretary of State for the Colonies how much of the Transvaal Loan of £5,000,000 has been issued, in what form the issue has been made, and to what objects the money has been allocated.

COLONEL SEELY: £1,000,000 of Transvaal Treasury Bills due 1st February, 1909, have, with the approval of the Lords Commissioners of the Treasury, been issued. £750,000 has been paid to the Transvaal Land and Agricultural Bank, and small sums have been spent on agricultural settlement and on irrigation. Expenditure is, I understand, also contemplated on railways.

SIR GILBERT PARKER: Can the hon. Gentleman say when the new issue will be made? Will it be within the next six months?

COLONEL SEELY: I cannot say offhand.

Labour in the Transvaal Mines.

MR. E. H. LAMB (Rochester): I beg to ask the Under-Secretary of State for the Colonies whether, between January, 1906, the date of the last General Election, and January, 1907, when the maximum number of Chinese working in the South African mines was reached the number of whites employed had decreased; and whether, since the reduction of nearly 40,000 Chinese, the number of whites employed has increased.

COLONEL SEELY: In January, 1906, the number of whites working on the Rand was 17,696; in January, 1907, the number was 17,198. In August last it was 17,989. In September there was a further decrease of Chinese and increase of whites, but I cannot yet give the exact figures for that month.

MR. MITCHELL-THOMSON (Lanarkshire, N.W.) asked whether between January, 1906, and the present time there had not been a large increase in coloured labour ?

COLONEL SEELY : Yes, a very large increase indeed, and contrary to the expectations entertained by hon. Members opposite.

MR. FELL : Have not a considerable number of new mines also been opened up ?

COLONEL SEELY : Yes, I am glad to say that is the case.

Scholarships and Income-Tax.

SIR HENRY KIMBER : I beg to ask Mr. Chancellor of the Exchequer whether students who have gained scholarships in the University of London for £80 are charged with income-tax thereon as unearned income, seeing that such income has been gained by long and expensive labour and pains.

THE CHANCELLOR OF THE EXCHEQUER (Mr. LLOYD-GEORGE, Carnarvon Boroughs) : Scholarships at the Universities are chargeable to income-tax as " earned " income, but I may remind the hon. Member that probably in the great majority of cases the recipients of such scholarships are persons whose total income from all sources does not exceed the statutory limit of exemption.

Hop Substitutes and Beer Preservatives.

MR. BARKER (Penryn and Falmouth) : I beg to ask Mr. Chancellor of the Exchequer if the Inland Revenue Department has any list of chemicals and preservatives, other than hops, which are sometimes used in the brewing of beer or which may be added to the beer after the process of brewing is completed ; have the officials of the Department ever issued a list of chemicals or chemical substances which brewers were forbidden to use ; and, if so, what are the names of the forbidden articles.

MR. LLOYD-GEORGE : A list of the articles in respect of which application had been made to the Board of Inland Revenue for permission for their use in the manufacture of beer was compiled in 1905 and given by the then Chancellor of the Exchequer in reply to a Question in the House of Commons on 23rd May, 1905. No list has been issued by the Board of Inland Revenue of substances which brewers are forbidden to use, but from time to time decisions are given by the Board as regards substances submitted either by brewers or by the Board's officers. The articles for which sanction has been refused are : Malt, yeast-foods, glucose, invert sugar, hop substitutes, etc., when containing arsenic beyond the limit recommended by the Royal Commission on Arsenical Poisoning ; heading powders and liquids, or other article, containing saponin whether derived from quillaia bark or not ; flavouring essences ; saccharin ; sacramine, and other compounds containing saccharin.

EARL WINTERTON : Can the right hon. Gentleman say whether any list is kept of chemicals which wine merchants are forbidden to use in doctoring their wines ?

MR. G. D. FABER (York) : Will the right hon. Gentleman say whether any chemicals are used in the manufacture of mineral waters ?

[No reply was given.]

Defaulting Ratepayers.

MR. PIKE PEASE (Darlington) : I beg to ask the President of the Local Government Board whether he can state the number of ratepayers summoned for their rates in England and Wales and the number who suffered imprisonment for non-payment, differentiating between the provinces and London for the year ending 1907.

*THE UNDER-SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. HERBERT SAMUEL, Yorkshire, Cleveland) : I beg to answer this Question on behalf of my right hon. friend. These figures are not available, and even if it were possible to get accurate returns, their collection would, the Secretary of State fears, give the local authorities more trouble than the result would justify.

Ladies at Great Marlborough Street Police Court.

MR. G. GREENWOOD (Peterborough): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the case of two ladies, Mrs. Penn Gaskell and Miss Smith, who, on 19th October last, at about 1.50 p.m., were summarily arrested by two police officers in Regent Street while distributing handbills announcing a public meeting, and taken to the Vine Street Police Station, and thence to the Great Marlborough Street Police Court, where they were imprisoned in a small cell-like room, together with a woman charged with being a prostitute, for some two hours, although they were at all times ready and willing to give their names and addresses, and might have been proceeded against by summons; whether he is aware that these ladies complain of having been subjected to many other indignities while awaiting trial on the charge of having caused an obstruction to the highway, and that they were ultimately released upon an order to enter into recognisances with which they were not required actually to comply; and whether he will direct a full inquiry to be made into all the circumstances of the case, and take such steps as may be necessary to secure that women charged by the police under such circumstances shall not in future be subjected to such treatment, and that they shall not be forcibly arrested in the public streets in cases where procedure by summons is sufficient.

*MR. HERBERT SAMUEL: My right hon. friend's attention has been called to this case, but he finds, on inquiry, that these ladies were subjected to no indignities while in custody. They were, in fact, treated with special consideration. At the police court they were detained, not in a cell, but in a waiting-room, eighteen feet square, with a woman whom the police report they have no reason to believe was of the class specified by the hon. Member. The door of the room was not locked, and the matron was in attendance. Mrs. Gaskell and Miss Smith were apprehended only when they were causing actual obstruction to traffic, when they had shown a determination not to obey the police warning to move away, and when their removal from the street had become necessary in order to put an end to the obstruction.

MR. G. GREENWOOD: Is the hon. Gentleman aware that independent evidence was forthcoming at the police court that there was no crowd and no obstruction of the traffic, and that other evidence has since transpired bearing that out? Will he make further inquiry into the facts if I send him a copy of the evidence, and seeing that by the magistrate's decision it was a perfectly trivial offence, will he say if he approves of women being arrested summarily in the streets under such circumstances?

*MR. SPEAKER: That is asking for an expression of opinion.

Vine Street Police Station—Accommodation for Female Prisoners.

MR. G. GREENWOOD: I beg to ask the Secretary of State for the Home Department whether he will direct inquiries to be made as to the accommodation provided for female prisoners awaiting trial at Vine Street Police Station; and whether the door of the lavatory for women under arrest at that station is provided with a spy-hole, and is situated in a corridor to which police constables and other male persons have access.

*MR. HERBERT SAMUEL: Present structural conditions at Vine Street preclude the provision of a separate set of cells for female prisoners, but whenever a woman is detained there, a matron is present in the cell passage throughout the period of detention. For obvious reasons, a small shuttered window is required in the lavatory door. The window is used only on occasions of emergency, and in the case of a female prisoner is used by the matron only. A scheme for the improvement of the administrative accommodation at this station is now in preparation.

Case of William Woodgate.

MR. W. THORNE (West Ham, S.): I beg to ask the Secretary of State for the Home Department if his attention has been called to the case of William Woodgate, an ex-soldier, who was charged at the North London Police Court, on Saturday, 24th October, with placing himself in Seven Sisters Road, Holloway, for the purpose of receiving alms, and was sentenced to two months hard labour, although he stated he had been out of work for the past ten weeks and owed five weeks rent and was trying to get a few pence to buy bread for his wife and child; and if he can see his way to have the sentence reduced.

*MR. HERBERT SAMUEL: My right hon. friend is making inquiry, and will let the hon. Member know his decision.

Roman Catholic Institutions.

MR. McARTHUR (Liverpool, Kirkdale): I beg to ask the Secretary of State for the Home Department whether he can state the number of Roman Catholic monastic and conventual institutions, which existed in England Ireland, Scotland, and Wales respectively, in 1830, and at the last date when the last figures were published, respectively; and whether he can give the number of foreign Roman Catholic monks and nuns who have taken up their abode in the United Kingdom during the last five or ten years.

*MR. HERBERT SAMUEL: There are no official statistics on the subject.

MR. McARTHUR: Has the hon. Gentleman any objection to endeavouring to obtain the statistics asked for in the first part of the Question?

*MR. HERBERT SAMUEL: The Home Office has no power to do so; it would require legislation for the purpose.

AN HON. MEMBER: Has the Home Office no source of information other than official information?

*MR. HERBERT SAMUEL: I am only required to give official information.

Holloway Cells.

MR. ALDEN (Middlesex, Tottenham): I beg to ask the Secretary of State for the Home Department whether, in view of the fact that the windows in the Holloway cells are not made to open and there is no direct entry of fresh air, and that the floors of the cells upon which the bedding is placed are composed of stone blocks likely to be damp at certain seasons of the year, these defects in construction will be remedied in the interests of the health of prisoners.

*MR. HERBERT SAMUEL: The windows are not made to open, but there is a direct entry of fresh air by a separate inlet for each cell, and the ventilation is satisfactory. Some of the cells at Holloway are floored with wood blocks, some with concrete, and some with tiles. The floors are not damp, nor is the bedding placed upon the floor, but upon a shelf when not in use.

Prison Industries for Women.

MR. ALDEN: I beg to ask the Secretary of State for the Home Department what industries are taught in His Majesty's prisons to women; whether he will consider the possibility of revising the system, with a view to enabling them to find remunerative work on their discharge; and whether he has considered the advisability of appointing a woman to the Board of Prison Commissioners to help in reorganising prison industries for women on more educative and reformative lines.

*MR. HERBERT SAMUEL: My right hon. friend will furnish the hon. Member with a list of the industries. The shortness of sentences prevents in most cases any system of organised instruction of such a nature as would create a wage-earning capacity on discharge, even were it possible to find employment. Thirty-nine per cent. of women last year were in prison for a week or less; 65 per cent. two weeks or less; and 95 per cent. three months or less; but in individual cases, where length of sentence admits, every effort is made to impart useful instruction, and improvements are continually being made. The Commissioners have now ample opportunities of obtaining the opinion of women as to the most suitable industries. Lady visitors are invited to offer suggestions. Useful suggestions are also frequently received from matrons of prisons; and a lady inspector of prisons has lately been appointed, whose duty it is, among other things, to advise the Commissioners on this matter.

Metropolitan Police.

Mr. CARLILE (Hertfordshire, St. Albans): I beg to ask the Secretary of State for the Home Department whether, in view of the large amount of unemployment now obtaining, he will increase the number of Reservists permitted to be enrolled in the Metropolitan Police force beyond the existing limit of 600 as vacancies occur; and, if so, what additional number he will permit to be so recruited.

*Mr. HERBERT SAMUEL: Efforts are being made to keep the Metropolitan Police force up to its full strength, and my right hon. friend thinks it is obvious that the hon. Member's suggestion of substituting Reservists for other unemployed persons as police recruits would not assist in the solution of the question of unemployment. The number of Reservists to be employed has, after careful consideration, been fixed at the limit given, and my right hon. friend regrets he cannot undertake to alter it.

The Imprisoned Suffragists.

Mr. KEIR HARDIE (Merthyr Tydvil): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to the application made at Bow Street Police Court on Monday to have certain women political prisoners transferred from the second to the first division; whether he is aware that the magistrate stated that the Home Secretary was the proper person to apply to; and whether he will now exercise the powers he possesses, known as the prerogative of mercy, to have the ladies referred to treated as first-class misdemeanants.

*Mr. HERBERT SAMUEL: My right hon. friend has seen a newspaper report of the application which was made to the Court on behalf of these ladies. As he stated on a previous occasion, it would, in his opinion, be unconstitutional to use the power of the Crown to override, with regard to any class of prisoners, the discretion which has been expressly given to the Court by statute. In certain cases, where no order was made, he has drawn the attention of the committing magistrate to the matter, and has asked him to consider it; and as the result, the magistrate has directed the prisoners' removal to a higher division than that in which they had been placed. My right hon. friend was advised by the late Attorney-General that a magistrate had power to give such a direction subsequent to the prisoners' committal to prison. With regard to the ladies referred to in the Question, my right hon. friend has been advised that the remainder of Mrs. Drummond's sentence should be remitted upon medical grounds, and she has been discharged from prison. As to the other ladies who are being treated in the second division, he sees no reason which would justify him in communicating with the learned magistrate.

Mr. KEIR HARDIE asked whether on the same day, in another Court, a similar application for transference from a lower to higher grade was granted by the magistrate, as he understood, on the recommendation of the Home Secretary; and why, if that could be done in one Court, it could be done in another.

*Mr. HERBERT SAMUEL: That is precisely the question I have answered.

*Mr. REES (Montgomery Boroughs): May I ask whether equality before the law is not a bedrock principle of democratic rule?

*Mr. KEIR HARDIE: May I ask whether equality before the law meant first-class treatment for Dr. Jameson and second class for these ladies who are also political offenders?

*Mr. HERBERT SAMUEL: My right hon. friend has explained more than once that the Jameson case was before the passing of the Prisons Act of 1898, which completely altered the situation by vesting discretion in this matter in the Court.

Mr. LUPTON (Lincolnshire, Sleaford) May I ask the hon. Gentleman whether he has not complete discretion to discharge all these suffragist prisoners at once?

[No reply was given.]

Motor Speed Gears.

MR. MARKHAM (Nottinghamshire, Mansfield): I beg to ask the Secretary of State for the Home Department whether, seeing that Clause 12 of the Police Regulations for the granting of licences to motor omnibuses provides that every omnibus must be so geared that its normal highest speed does not exceed twelve miles an hour, he will say why the police have licensed omnibuses which habitaully travel at sixteen miles per hour; and whether this Regulation has ever been enforced in a single case.

*MR. HERBERT SAMUEL: The hon. Member appears to have misunderstood the words "normal highest speed" in the Regulation from which he quotes. They refer to the omnibus when running in its highest gear at a normal number of engine revolutions per minute. The majority of omnibuses are so designed that when running at a normal engine speed their rate of progression approximates closely to the legal maximum of twelve miles per hour. Motor omnibuses in London do not habitually travel at sixteen miles per hour.

Motor Traffic Noises.

MR. MARKHAM: I beg to ask the Secretary of State for the Home Department whether, seeing that Clause 13 of the Police Regulations for granting of licences to motor omnibuses provides that every omnibus must be constructed so that no undue noise or vibration is caused, he will say why omnibuses are permitted on the streets shaking the houses by which they pass and causing a nuisance to the public.

*MR. HERBERT SAMUEL: Every care is exercised to ensure that only properly constructed omnibuses are licensed, and when the police find any that, through wear and tear, have become noisy, these are ordered off the streets. The hon. Member is no doubt aware that the Report of the Select Committee of 1906 drew attention to the fact that the noise and vibration of motor vehicles may be due to causes other than faulty construction. As the former part of my Answer has been met with some question, perhaps I may be allowed to say that in the year 1907, motor omnibuses were warned off the streets no less than 4,862 times, and as there are only 1,000 omnibuses, that gives an average of nearly five times each, which does not seem to show laxity on the part of the police.

MR. MARKHAM: May I ask whether it does not show that these motor omnibuses ought to have been warned off ten times?

[No Answer was returned.]

*SIR HENRY CRAIK (Glasgow and Aberdeen Universities): Cannot we have a Return showing the condition of these omnibuses?

*MR. HERBERT SAMUEL: I do not think that would be a proper subject for a Parliamentary Return.

Taxi-Companies' Profits.

MR. MARKHAM: I beg to ask the Secretary of State for the Home Department whether, in view of the profits made by motor-taxi companies, and that the fares he has sanctioned are nearly double those permitted by the Paris traffic authorities for exactly the same cabs, he will reduce the rates forthwith.

*MR. HERBERT SAMUEL: My right hon. friend has no official information of the profits made by motor cab companies, and the conditions in Paris are so different that no inference can be drawn from the Paris fares as to those that ought to prevail here. He notices, however, that, in the evidence given before the Select Committee, it was stated that the fare for a taximeter cab in Paris was about one-third more than the fare for a horsed cab. At any rate, the profits now made by motor cabs in London must be regarded as due in part to the demand exceeding the supply, and present experience would not warrant a reduction in the rates.

Taxi-Cab Fares.

MR. MARKHAM: I beg to ask the Secretary of State for the Home Department whether, seeing that the majority of the taxi-cabs in London are identical with those used in Paris, being manufactured by the same foreign firm, he will say why he has sanctioned a scale of rates permitting motor companies to charge the public 2d. for two-and-a-half minutes by time when the rates in Paris for the same cars are 1d. for three minutes by time.

*MR. HERBERT SAMUEL: It has already been stated that no analogy can be drawn between the fares in force in Paris and London, respectively. But the rate suggested by the hon. Member, which works out at 1s. 6d. per hour, is manifestly unsuitable for London, being less than the rate for horsed cabs. The Select Committee in their Report stated that "obviously the fare by time must be much higher" in the case of motor cabs than for horsed cabs.

MR. MARKHAM: Does the hon. Gentleman consider 4s. an hour for waiting reasonable? Are not the Paris cabs of exactly the same construction, and if they pay at the lower rate cannot the English cab pay equally?

*MR. HERBERT SAMUEL: The conditions in Paris are different.

MR. MARKHAM: There can be no difference in waiting.

*MR. HERBERT SAMUEL: The difference is in the wages of the men, their standard of comfort, the cost of maintenance, and so forth.

MR. MARKHAM: But the wages in Paris are higher than those in London.

Speed Tests.

MR. MARKHAM: I beg to ask the Secretary of State for the Home Department whether, seeing that at the recent Olympic Games the time of every race was correctly taken to one-tenth of a second, he will say if with a system of electric signals the speed of motor vehicles could be accurately taken; whether any application has been made by the Commissioner to him for money to install such electric appliances to prevent the law being daily broken by motorists; and whether he will see that any moneys necessary to enforce the law are granted to the Commissioner.

*MR. HERBERT SAMUEL: The chronographs used by the Metropolitan police, which time accurately to one-fifth of a second, were adopted after full consideration of various electrical and other timing appliances. In the opinion of the Commissioner timing by chronograph is the method best adapted to the needs of the Metropolitan police and the conditions under which timing is effected by them.

MR. MARKHAM: Is the right hon. Gentleman aware that the Commissioner of Police, in a letter to the hon. Member for the Mansfield Division, said he allowed four miles an hour over and above the legal limit owing to the difficulty of marking the exact time?

*MR. HERBERT SAMUEL: I am not aware.

Motor Skidding Fatalities.

MR. MARKHAM: I beg to ask the Secretary of State for the Home Department whether, seeing that Clause 4 of the Regulations for obtaining a certificate of fitness for motor omnibuses provides that the Commissioner of Police reserves the right to withdraw the same when granted if an omnibus is apt to skid unduly, he will state the number of fatal accidents and personal injuries caused by side-slip in the Metropolis during the first six months of this year, the number of lamp-posts destroyed, and in how many cases the licences of omnibuses have been withdrawn for causing accidents due to side-slip.

*MR. HERBERT SAMUEL: The particulars of accidents due to side-slips could not be given without laborious search; the statistics now available include all accidents due to motor omnibuses. Skidding is, of course, common to all rubber-tyred vehicles, but every care is taken in licensing omnibuses to see that they are not specially liable to side-slip. No licences have been withdrawn during 1908 on this account.

Taxi-cab Fares.

MR. MARKHAM: I beg to ask the Secretary of State for the Home Department whether, seeing that the cost of petrol is 50 per cent. higher in Paris than in London, and that the drivers of motor-cabs are paid higher wages in Paris than in London, he will say why he has fixed the fares for taxi-cabs at 8d. per mile and 2d. for each additional 440 yards when the rates in Paris are 7½d. for 1,300 yards and 1d. for each additional 430 yards.

*MR. HERBERT SAMUEL: This Question is partly covered by my replies to the previous ones. In fixing the rates, my right hon. friend adopted a scale lower in some respects than that recommended by the Select Committee, and it appears to have met with general approval.

Motor Regulations.

MR. MARKHAM: I beg to ask the Secretary of State for the Home Department whether he is aware that some months ago the Commissioner of Police addressed a communication to the Press, stating that, in view of the motor industry being a new one, he had not strictly enforced the regulation and laws enacted under the authority of Parliament; will he say whether the Commissioner was authorised by him not strictly to enforce the regulations of the Local Government Board, and if he will direct the Commissioner to carry out the orders of this House; and will he state the number of omnibuses, at present licensed in the Metropolis, of foreign manufacture.

*MR. HERBERT SAMUEL: The hon. Member will observe, on reference to the correspondence to which he alludes, that the regulations referred to as not strictly enforced, were certain regulations affecting public carriages, made by the Commissioner himself, which were at the time under the consideration of a Select Committee of the House. One thousand and ninety-five omnibuses are at present licensed by the Commissioner, and of these 595 are reported to be of foreign manufacture.

Seamen's Boarding Houses in Cardiff.

MR. RENWICK: I beg to ask the President of the Local Government Board whether his attention has been called to to revelations recently made public in the Cardiff Municipal Council in regard to the state of seamen's boarding-houses in that city; and whether he will order an inquiry to be made as to the working of the regulations in force for the supervision and control of seamen's boarding-houses in the seaport towns of the United Kingdom.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. CHURCHILL, Dundee): I have been asked to reply to this Question. I am aware of the allegations which have been made as regards the state of seamen's boarding-houses at Cardiff, and understand that they are not without foundation. I have been in communication with the local authorities and am informed that urgent attention is being given to the matter with a view to securing a rigorous administration of the bye-laws regulating the boarding-houses. I am taking steps to obtain information as regards the state of seamen's boarding-houses at the other seaports, in respect of which the Board of Trade have approved bye-laws and the whole matter will receive careful consideration.

Railway Combines.

MR. HOOPER (Dudley): I beg to ask the President of the Board of Trade whether he will obtain and lay upon the Table of the House particulars of the combinations or other mutual arrangements for working traffic, enforcing rates, withdrawing rebates, pooling receipts, abolishing inter-competition, and establishing community of interests in one way or another which have been entered into since 1905 by various railway companies in Great Britain; and whether the Board of Trade have taken the opinion of the Law Officers of the Crown, and are now prepared to state whether all or any of these combinations or arrangements are such as require for their validity the approval of the Railway and Canal Commissioners, under Section 25 of the Railways Clauses Act, 1863, and amending enactments thereof.

*MR. REES asked whether the right hon. Gentleman possessed any authority to compel railways to work at a loss, or at rates of profit far below the average return upon capital employed in other contemporaneous enterprises.

Mr. CHURCHILL replied that he should like an opportunity of studying the latter Question in order that it might have the answer it deserved. In regard to the Question on the Paper, the right hon. Gentleman said: I fear that it would be impracticable to attempt to collect particulars of all the various arrangements among railway companies which my hon. friend has in mind, which are probably very numerous. The Railway and Canal Commission only have power to review such agreements as are entered into under the authority of special Acts of Parliament incorporating Part III. of the Railways Clauses Act, 1863, or containing provisions similar to those of Section 25 of that Act. It hardly appears necessary to consult the Law Officers of the Crown on this point which I am advised is not open to doubt. As, however, stated, in reply to my hon. friend the Member for Stockport on the 15th inst., the working of such arrangements will be most carefully watched, and should experience show that they operate detrimentally to the public interest, His Majesty's Government would not hestiate to take or to propose to Parliament the measures required by the situation.

Mr. MARKHAM asked whether the right hon. Gentleman was aware that many of these Bills were granted by the House for the purposes of competition as was distinctly stated by the promoters upstairs, and that since this pooling arrangement between the Great Northern and Great Central facilities granted to traders had been withdrawn.

*Mr. SPEAKER: The hon. Member ought to give notice of that Question.

Mr. WALTERS (Sheffield, Brightside): Is the right hon. Gentleman aware of the serious inconvenience caused to passenger traffic on some of the main lines by overcrowding, as the result of combination which has led to dispensing with a number of trains?

Mr. CHURCHILL: I shall be glad to receive any evidence of injury to public interest arising out of such of these combinations as may possibly not require Parliamentary legislation.

Mr. MARKHAM: May I have another shot at the right hon. Gentleman? Is the right hon. Gentleman aware that the Bills granted by Parliament deliberately for purposes, specifically stated, of competition have been contravened?

Mr. CHURCHILL: These are grave matters of a most intricate branch of law, and I should not be doing justice to the House if I attempted to give my opinion without the advice of the Law Officers.

Mr. HOOPER: How can the right hon. Gentleman form an opinion without having an opportunity of seeing these agreements?

Mr. CHURCHILL said his answer applied only to such agreements as those with which they were familiar.

Employment in Germany.

Mr. STAVELEY-HILL (Staffordshire, Kingswinford): I beg to ask the President of the Board of Trade whether he has any information from German official sources, or from the Reports of British Consuls in Germany, as to the scarcity of workers there; and, if so, whether he will lay such information upon the Table of the House.

Mr. CHURCHILL: I have seen statements in the Reports of His Majesty's Consuls in Germany as to the shortage of labour in various industries during the recent period of trade expansion, but not any similar statements relating to the present time. The Consular Reports have already been laid on the Table of the House.

German Immigration.

Mr. STAVELEY-HILL: I beg to ask the President of the Board of Trade whether he can state the number of persons who annually enter Germany temporarily from surrounding countries for purposes of work.

Mr. CHURCHILL: No, Sir, I have no means of making such an estimate.

British Trade in Bulgaria.

SIR J. JARDINE (Roxburghshire): I beg to ask the President of the Board of Trade whether the strong recommendations of Vice-Consul Toulmin, in his last two Annual Reports on Bulgaria, as to the advantage of establishing a British bank and a British museum of commercial samples at Sofia, have been brought to the notice of Chambers of Commerce and associations of bankers.

MR. CHURCHILL: The attention of the Commercial Community has been directed to Mr. Vice-Consul Toulmin's recommendations by notices in the *Board of Trade Journal*, copies of which are sent to all the principal Chambers of Commerce. I beg to refer my hon. friend to page 458 of the issue of the *Journal* for 5th December last, a copy of which I am sending to him.

Irish Railway Pension Scheme.

MR. HUDSON (Newcastle-on-Tyne): I beg to ask the President of the Board of Trade if his attention has been called to a circular letter issued by the Great Southern and Western Railway Company (Ireland) on 16th October last, informing the servants on the wages staff of the company that, owing to the provisions of old-age pensions to be made from the National Exchequer, the directors give notice to terminate their pensions scheme from 1st January, 1909; whether he can say if such pensions have been part earnings for service to the company and are, in fact, deferred pay; and what steps, if any, he proposes to take in the matter.

MR. CHURCHILL: I have not received a copy of the circular to which the hon. Member refers, but I am inviting the Railway Company's observations on the statements contained in the Question, and will inform the hon. Member of the nature of their reply.

Trade Commissioners.

MR. FELL: I beg to ask the President of the Board of Trade if he has made the arrangements for the Consultative Committee of Colonial Experts, which was promised at the time of the Colonial Conference.

MR. CHURCHILL: I understand from the hon. Member that his Question relates to appointments by His Majesty's Government of Trade Commissioners in the self-governing Dominions, appointments which were in contemplation at the time of the Colonial Conference. Four such appointments have now been made—one for Canada, one for South Africa, one for Australia, and one for New Zealand. Three of the gentlemen appointed have already left this country to take up their posts.

EARL WINTERTON: Will these gentlemen's reports be published with the Consular Reports?

MR. CHURCHILL: They will report to the Board of Trade, and we shall consider them with the view of giving the fullest information to the commercial classes of this country.

MR. FELL: Will the Commissioners be under the Board of Trade or the Colonial Office?

MR. CHURCHILL: They are appointed by the Board of Trade.

MR. BONAR LAW (Camberwell, Dulwich): Have the appointments been made under the advice of the Commercial Committee of the Board of Trade?

MR. CHURCHILL: They are made by the Board of Trade on its own responsibility, after availing itself of the information it thinks it desirable to receive.

Railway Stock and the Old-Age Pensions.

*MR. REES: I beg to ask the President of the Local Government Board whether, in view of the facts that more than half the holdings of railway stock in this country are under £500 in amount, and that the average return upon this is only slightly above half the amount of income which disqualifies the possessor for an old-age pension, he will consider the advisability of revising the system of rating, so as to provide that railway companies shall be assessed only in respect of total net annual value.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. JOHN BURNS, Battersea): I can only repeat the statement I made on 19th October last, in reply to a Question of my hon. friend, viz., that whether there should be any alteration in the law with regard to the assessment of railways is a matter which will receive consideration in connection with the Valuation Bill.

Motor Car Lights.

CAPTAIN ARTHUR MURRAY (Kincardineshire): I beg to ask the President of the Local Government Board whether he is aware that the employment of dazzling headlights on motor cars has been the cause of accidents to the cycling and driving public; and whether, when framing future motor legislation, he will bear this in mind and compel the use of such appliances as will reduce to a minimum the excessive glare.

MR. JOHN BURNS: I am aware of the disadvantages attending the use of these dazzling lights. The subject has received the consideration both of the Local Government Board and of the Royal Commission on Motor Cars, but at present I have not seen my way to an appropriate method of dealing with the matter.

MR. WATT (Glasgow, College) asked whether the point could be dealt with by regulation, or whether it needed legislation.

MR. BURNS: If it can be dealt with by regulation, I will see whether there may not be an early opportunity to deal with it.

Vermin Poisons.

MR. RIDSDALE (Brighton): I beg to ask the President of the Local Government Board if his attention has been called to the Report of Dr. Collingridge, Medical Officer of Health for the City of London, to the effect that a vermin poison, advertised as harmless to human beings but as disseminating bacteriological diseases to rodents, has caused serious illness to many persons; and whether, in view of the danger to the public of the unrestricted sale of such poisons, he will consider the desirability of placing restrictions upon their sale.

MR. JOHN BURNS: My attention has been called to this matter. The administration of the Acts relating to the sale of poisons rests with the Privy Council. I will communicate with the Lord President as to the suggestion made by my hon. friend.

Distress Committees.

MR. W. THORNE (West Ham, S.): I beg to ask the President of the Local Government Board on what date the circular was sent out to the various distress committees informing them that the Poor Law relief and the two years' successive work disqualification under the Unemployed Workmen's Act have been removed.

MR. JOHN BURNS: An Order is necessary for the purpose of altering the Regulations in this respect. The Order is in preparation, and will very shortly be issued.

Death at Preston Mission Shelter.

MR. W. THORNE: I beg to ask the President of the Local Government Board if his attention has been called to the verdict returned at an inquest at Preston, on William Walsh, aged forty-six, a weaver of Blackburn, who died in the mission shelter on Tuesday, 20th October; and, in consequence of the deceased telling his fellow inmates that he had walked from Clitheroe, where he had had nothing but dry bread and water in the casual ward for several days, and in consequence of the man's death being accelerated by starvation and exposure, will he cause inquiries to be made into the case.

MR. JOHN BURNS: I have written for the depositions taken at the inquest in this case. On receiving them I will look into the matter.

Norwegian Timber for Telegraph Poles.

MR. REES: I beg to ask the Postmaster-General whether experts support the view that home-grown is not more durable than Norwegian timber and cannot be creosoted to the same advantage; and whether it is sufficiently established beyond all doubt that home-grown timber cannot be used for telegraph poles without loss to the Department.

THE POSTMASTER-GENERAL (Mr. SYDNEY BUXTON, Tower Hamlets, Poplar): As regards the first Question the Answer is in the affirmative. As regards the general question, I have already written fully to my hon. friend on the subject.

MR. REES was understood to ask if the Norwegians were not interested in maintaining the claim that their timber was more durable?

MR. SYDNEY BUXTON: Perhaps they are, but that does not affect the question. I am very anxious indeed to get offers of suitable British timber for telegraph poles, and if I receive them they certainly will be sympathetically considered.

Canadian Cable Rates.

SIR GILBERT PARKER: I beg to ask the Postmaster-General whether any representations have been made by the Canadian Government for the reduction of cable rates between this country and Canada.

MR. SYDNEY BUXTON: The Answer to the hon. Member's Question is in the negative.

Bristol Post Office Clerical Staff.

MR. O'GRADY (Leeds, E.): I beg to ask the Postmaster-General whether, in the matter of applications for extra clerks during the pressure of Christmas work at Bristol, those who are unemployed will be given preference; and whether, since the announcement as to the work to be provided by the Post Office, any clerks have been taken on at the Bristol office who have temporarily left their present employment, or will such applications be entertained.

MR. SYDNEY BUXTON: No men have yet been taken on at Bristol for Christmas pressure; but there, as elsewhere, in accordance with announcements which I have already made in this House, applications from men who are in employment will not be entertained if suitable men for the duties to be performed can be found among the genuinely unemployed.

Victoria and Albert Museum.

SIR WILLIAM ANSON (Oxford University): I beg to ask the President of the Board of Education whether he will lay upon the Table of the House the Report of the Departmental Committee on the organisation and arrangement of the Victoria and Albert Museum, and the evidence and Memoranda on which that Report is based.

THE PRESIDENT OF THE BOARD OF EDUCATION (Mr. RUNCIMAN, Dewsbury): I am arranging for the Report of the Committee to be presented to Parliament. As foreshadowed in the reply I gave to the hon. Baronet on 12th May, no formal evidence has been taken by them, but full information as to their proceedings will be found in the Report when issued. I may mention that much assistance was derived by the Committee, as shown in their Report, from the very full Report of the Select Committee on Museums and the Science and Art Department which sat in 1897–8.

SIR WILLIAM ANSON: Was not the Report largely based on Memoranda furnished from time to time by the inquiry, and could not those Memoranda be laid before the House?

MR. RUNCIMAN replied that he had not seen the whole of the documents, but he would look into the matter.

Swansea Education Dispute.

LORD R. CECIL (Marylebone, E.): I beg to ask the President of the Board of Education if he will state when the managers of the Oxford Street School at Swansea first referred the question of the sufficiency of the teacher's salaries to the Board of Education under Section 7 of the Education Act, 1902; what action was taken thereupon by the present Chief Secretary for Ireland; whether the Board informed the local education authority as early as July, 1906, that their action was unjust to the teachers and children and gravely imperilling the efficiency of the school; whether the managers have since that time repeatedly pressed for a decision on the question; and how much longer will it be before such decision is given.

Mr. RUNCIMAN: The Answer to the first paragraph is in November, 1905. With regard to the second paragraph, I think I should refer the noble Lord to the very full Answers given by my right hon. friend to him in December, 1906. The replies to the third and fourth Questions are in the affirmative. A public inquiry was held by my directions at Swansea, and the report is now under my consideration.

Lord R. CECIL: Is the right hon. Gentleman aware that from 1st August last year the managers of this school have been paying to their teachers out of their own pockets the difference between the salaries awarded by the local education committee and and that paid by the same committee to the teachers in their own school?

Mr. RUNCIMAN: The reason why I ordered a public inquiry was that I might get an impartial account. I think the noble Lord will get from the Report which will be published shortly all the information he requires.

Lord R. CECIL: When does the right hon. Gentleman expect to arrive at a decision?

Mr. RUNCIMAN: I hope before long.

Small Holdings.

*Mr. MORRELL (Oxfordshire, Henley): I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether he will consider the advisability of appointing local inspectors in different parts of the country to assist the Commissioners in ascertaining the extent of the demand for land.

The TREASURER of the HOUSEHOLD (Sir Edward Strachey, Somersetshire, S.): The work of ascertaining the existing demands for Small Holdings is practically completed. It is therefore not necessary to adopt the suggestion of my hon. friend.

*Mr. MORRELL asked if there had not been a great deal of delay in consequence of the duty being left to the County Councils instead of the Commissioners?

Sir EDWARD STRACHEY: There has been no unnecessary delay.

Mr. MORRELL: I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, what particulars the Small Holdings Commissioners have in their possession of those applications made under the Act in which the applicants have not yet been satisfied.

Sir EDWARD STRACHEY: Information on this point will be obtained for the purposes of our Annual Report, but the Board are not at present in a position to give the particulars asked for. Every specific complaint received by the Board is at once investigated.

Mr. MORRELL: I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, what is the number of applications made for allotments under the Small Holdings and Allotments Act.

Sir EDWARD STRACHEY: The number of applications is small. Full particulars will be published in our Annual Report.

Mr. MORRELL: I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether, in view of the large demand that has arisen under the Small Holdings and Allotments Act, the Board has appointed or intends to appoint any additional Commissioners or inspectors beyond the six gentlemen originally appointed under the Act.

Sir EDWARD STRACHEY: It is proposed to employ another inspector at once. If it is found necessary to obtain the services of others we shall most certainly do so.

Allotments.

Mr. MORRELL: I beg to ask the hon. Member for South Somerset, as representing the President of the Board of

Agriculture, whether his attention has been drawn to a Resolution passed by the Parish Councils Conference on 11th July, with regard to the difficulties of parish councils in providing allotments, owing to the fact that allotments may only be granted to those engaged in manual labour; and, if so, whether he will consider the advisability of so amending the law as to permit parish councils to grant allotments up to five acres to all suitable applicants.

SIR EDWARD STRACHEY: The reply to the first part of the Question is in the affirmative. The difficulty to which my hon. friend refers does, no doubt, occur on some occasions, but where the applicant desires more than one acre he can be provided with land under the Small Holdings Acts whether he belongs to the labouring population or not. It is not proposed to initiate further legislation on the subject at the present time.

Registration of Title.

MR. REMNANT (Finsbury, Holborn): I beg to ask Mr. Attorney-General if he can give any indication when the Report of the Royal Commission appointed in May, 1906, to consider the expediency of extending a system of registration of title to Scotland will be presented; and if the Report will be presented in time to be of use on the inquiry now proceeding before the Land Transfer Commission.

THE ATTORNEY-GENERAL (Sir W. ROBSON, South Shields): I am informed that the Report will be presented on an early day, and that it will be in time for full consideration by the Land Transfer Commission.

The Weir Bequest.

SIR HENRY KIMBER: I beg to ask the hon. Member for the Barnstaple division, as representing the Charity Commissioners, whether by the terms of the late Mr. Weir's will income only is directed to be used for the establishment and maintenance of the charity; whether he will state from what persons or bodies the Charity Commissioners have received protests and objections to the published draft scheme; do the Commissioners, notwithstanding such protests, intend to persevere in the attempt to transfer £50,000 capital of the fund, and the income of the residue, to a hospital in Battersea, and not in Streatham as directed by the will; whether the donations of £5,000 and £900 were given in the form of legacies, and, if so, under whose wills and upon what conditions were such legacies given; whether the authorities of the King Edward's Hospital Fund who are alleged to have advised union with the Bolingbroke Hospital, expressed any opinion that the terms of the will could not be carried out as provided therein; whether he is aware that a feeling exists against multiplying beds in existing hospitals when so many beds are vacant for want of funds, and that the present draft scheme will double the accommodation at Bolingbroke Hospital; and what provision has been made for the maintenance of such extra accommodation.

MR. SOARES (Devonshire, Barnstaple): Mr. Weir's will does not direct that income only is to be used for the establishment and maintenance of the charity. Protests and objections to the published draft scheme have been received from the persons claiming to be the committee of management of the charity from Mr. Richard Phillips, a member of the Wandsworth Borough Council, from the Streatham Ratepayers' Association and the Streatham Chamber of Commerce; from the Wandsworth Borough Council; from Mr. Henry George Hills, one of the trustees under Mr. Weir's will; and from a meeting of inhabitants of the parish of Streatham. The Commissioners propose to seal their scheme substantially in the form in which it was published, and if desired to authorise an appeal from it to the Chancery Division of the High Court. The donations of £5,000 and £900 were not legacies. The gift of £5,000 was from the Zunz trustees and that of £900 was from Lord Wandsworth, and these gifts were conditional upon a total amount of £22,000 being subscribed by the end of July, 1907. The authorities of King Edward's Hospital Fund did not express any opinion that the terms of the will could not be carried out as provided therein The Commissioners are aware that opinions have been expressed to the effect stated by the hon. Member. The proposed scheme will about double the accommodation at Bolingbroke Hospital. The maintenance of extra accommodation at the hospital so far as not provided for by the residuary income of the Weir Charity will be provided from the general funds of the hospital.

Scottish Fishery Cruiser.

MR. MITCHELL-THOMSON: I beg to ask the Secretary for Scotland what is the armament of the proposed fishery cruiser for Scotland.

THE SECRETARY FOR SCOTLAND (Mr. SINCLAIR, Forfarshire): The new cruiser will carry no armament.

EARL WINTERTON: Will this cruiser carry no arms of any kind?

MR. SINCLAIR: I have said it will carry no armament.

Scottish Judges and Bank Directorships.

MR. WATT (Glasgow, College): I beg to ask the Lord-Advocate if the most recently appointed Judge of the Court of Session occupies the position of ordinary director of the Bank of Scotland; and, if so, whether, seeing that the Bank of Scotland is frequently a litigant in that Court, he proposes to take any action.

THE LORD ADVOCATE (Mr. THOMAS SHAW, Hawick Burghs): Lord Skerrington was a director of the Bank of Scotland, but upon receiving His Majesty's Commission as a Judge he promptly, and before taking his seat on the Bench, resigned his directorship.

MR. WATT: May I, with all due humility, ask whether it was made a condition of the appointment that this directorship should be resigned?

MR. THOMAS SHAW: I see no necessity for humility on the part of the hon. Member. Lord Skerrington acted entirely on his own initiative.

Dalbeath Pit Fatality.

MR. PONSONBY (Stirling Burghs): I beg to ask the Lord-Advocate if he can now state whether a further public inquiry will be instituted into the facts and circumstances connected with the death of Robert Adamson, in November last year, by the collapse of a brick arch in the Dalbeath Pit, belonging to the Fife Coal Company; and whether he will consider the advisability of issuing an order allowing the representatives of injured or deceased workmen to get access to the locus of an accident immediately after it happens.

MR. THOMAS SHAW: I have gone into this case and laid my views upon it before the Home Office. I am glad to inform my hon. friend that my right hon. friend the Home Secretary has instructed the holding of a public inquiry under Section 45 of the Coal Mines Regulation Act, 1887. I attach also much importance to the second portion of the question and should hope that the point as to workmen's representatives having a right to inspect the locus of an accident may be helpfully elucidated in the forthcoming inquiry.

Irish Linen Frauds.

MR. SLOAN (Belfast, S.): I beg to ask the Vice-President of the Department of Agriculture (Ireland) if he has yet come to a decision in regard to the views expressed by the deputation of the Linen Merchants' Association which waited upon him in Belfast in reference to the appointment of an inspector for the discovery of frauds.

THE CHIEF SECRETARY FOR IRELAND (Mr. BIRRELL, Bristol, N.): Yes, Sir. The appointment has been made, and the Belfast Linen Merchants' Association have expressed their satisfaction with the arrangement.

Land Sales in County Clare.

MR. WILLIAM REDMOND (Clare, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state how many sales of land have taken place to date in County Clare under the Act of 1903, and what is the amount of the purchase money; and how much untenanted land has been divided amongst small holders in accordance with the intention of the Land Purchase Act.

MR. BIRRELL: The Estates Commissioners inform me that the particulars asked for so far as it is practicable to furnish them are as follows: 4,357 purchase agreements, representing £1,174,997 purchase money, have been lodged in the case of 184 estates which are being sold direct by owners to tenants in County Clare. The Commissioners are not in a position to state the total area of untenanted land in these cases, but so far as the agreements have been analysed it appears that 574 acres of untenanted land have been divided amongst persons coming within Section 2 of the Irish Land Act, 1903. In addition, the Commissioners have purchased, for £93,831, eighteen estates in the county, comprising 209 holdings and 4,444 acres of untenanted land, which have been allotted amongst persons coming within Section 2 of the Act.

Mr. Farrell, M.P.

MR. LONSDALE (Armagh, Mid): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland what has been the result of the consideration given to the recent speech of the hon. Member for North Longford in advocacy of cattle-driving.

MR. BIRRELL: After careful consideration, it has been decided that the language used by the hon. Member for North Longford on the occasion referred to was not such as to justify proceedings for incitement to commit crime.

Irish Extra Police.

MR. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether, having regard to the fact that there are 693 extra police serving in eight counties which since August, 1907, have been proclaimed as being in a state of disturbance, any improvement has manifested itself in the condition of these counties, or any of them, subsequent to the issue of the proclamation in each case, such as to justify a reduction in the strength of the extra force therein; and whether he will indicate the last previous year in which an extra force of police, numbering as many as 693 men or approximately as many, was employed to supplement the ordinary establishment of disturbed counties in Ireland, and also the last previous year in which an extra force employed in pursuance of a similar proclamation was entirely withdrawn from the county.

MR. BIRRELL: The condition of the disturbed counties has not been such as to admit, in any instance, of the reduction in the number of extra police. The last year in which the number of extra police was approximately as great as at present was 1892. The final withdrawal of the extra police serving under former proclamations took place in 1899.

Mr. Sheehy, M.P. and Cattle-Driving.

MR. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether official shorthand notes were taken of the speeches delivered in Ireland during the recent recess by the hon. Member for South Meath; and, if so, will he state why the reports of such speeches in advocacy of cattle-driving and boycotting were not officially brought to his notice, in addition to the similar speech by the hon. Member for North Longford.

MR. BIRRELL: Shorthand notes were taken of some of the speeches delivered by the hon. Member for South Meath during the recess, but the speeches do not appear to fall within the description of public advocacy of cattle-driving.

Ennis Sessions—Claims for Malicious Injuries.

MR. BARRIE (Londonderry, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland what was the number of applications for compensation for malicious injuries to cattle heard at the recent Ennis Quarter Sessions; what was the number of cattle (including sheep) driven on the occasion of each drive for which compensation was awarded; and what was the amount of compensation granted in each case.

MR. BIRRELL: I have received from the Inspector-General of the Royal Irish Constabulary a tabular statement giving the particulars asked for by the hon.

Member, and will, with his permission, publish it with to-night's Votes.

Irish Cattle Drives—Cruelty to Animals.

MR. CHARLES CRAIG (Antrim, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether it has been brought to his knowledge that on the occasion of an extensive cattle-drive at Doolin, North Clare, on 22nd September, a number of bullocks were brutally beaten to their knees, and when on the ground in this position were further maltreated by being struck on their heads; and whether any arrests have been made in connection with the occurrence.

MR. BIRRELL: An extensive cattle-drive took place on the occasion referred to. Claims in respect of it were made at Ennis Quarter Sessions, and evidence having been given that some of the cattle had been badly beaten, compensation to the amount of £166 4s. was awarded. Forty-four persons were made amenable for cattle-driving, of whom two gave bail and the remainder underwent a fortnight's imprisonment in default of bail.

EARL WINTERTON: May I ask the right hon. Gentleman whether any proceedings were taken against those people for cruelty to animals?

MR. BIRRELL: No. That fact was taken into consideration in assessing the amount of compensation.

MAJOR ANSTRUTHER-GRAY (St. Andrew's Burghs): How can you compensate the animals?

MR. WILLIAM REDMOND: May I ask the right hon. Gentleman whether his attention has been called to the reports of the trial of a large number of cases of persons accused of cattle-driving, and whether it is a fact that the police witnesses, without exception, testified that no cruelty was exhibited towards the animals and that they were not injured but merely driven in the ordinary way?

MR. BIRRELL: In some cases undoubtedly the cattle-driving has not been associated with anything which can be called cruelty to animals. In other cases, unfortunately, the facts are otherwise.

MR. WILLIAM REDMOND: May I ask the right hon. Gentleman whether he is not aware that every single person in the whole of Ireland deprecates anything of the kind?

[No Answer was returned.]

Peace Preservation Act.

MR. CHARLES CRAIG: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Government, in coming to the determination to allow the Peace Preservation Act of 1881 to lapse, had its attention directed to the statement made by the right hon. Gentleman the Member for Montrose Burghs when the Expiring Laws Continuance Bill was considered in Committee of this House on 18th September, 1893, that he did not regard the Act as a measure of coercion but essentially as a measure of police regulation, and that it was from that point of view he desired to see it renewed; whether he is aware that the inclusion of the Act in the Expiring Laws Continuance Bill was annually defended by successive Governments on the ground that it was required as a measure of police precaution; and whether the police authorities were consulted before the decision to permit the Act to lapse was arrived at.

MR. BIRRELL: I have no information as to whether the Government had its attention directed to the statement referred to in the first part of the Question. As regards the concluding inquiry, I have nothing to add to the answer which I gave to the Question of the hon. and gallant Member for East Down on 4th March last.

MR. CHARLES CRAIG: When the right hon. Gentleman has leisure time will he read the debate?

MR. BIRRELL: Yes, when I do have leisure.

Irish National School Work-Mistresses.

MR. SLOAN: I beg to ask the Chief Secretary to the Lord-Lieutenant of

Ireland if he can state the conditions of disbursement of that portion of the £114,000 now due to work-mistresses in National Schools, and when it is intended to pay the same.

MR. BIRRELL: The grant of £114,000 was voted to augment the incomes of principal teachers, assistant teachers, the teachers of schools paid by capitation, and junior assistant mistresses. Other persons employed in National Schools do not participate in the grant, and I do not think that, in framing the Estimate, the work-mistresses were taken into account.

Lacken Outrage.

MR. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he has received reports of a man, named Cushen, having been threatened by a party of disguised and armed men in his house at Lacken, in the Kilmihill district, County Clare, on the night of the 27th instant; whether the men fired shots outside the dwelling; and whether any arrests have been made.

MR. BIRRELL: The Inspector-General of the Royal Irish Constabulary informs me that Cushen was threatened in the manner described, and that a shot was fired on the occasion. The police have not succeeded in obtaining evidence which would justify them in making arrests.

Pensioners in Irish Lunatic Asylums.

MR. WILLIAM ABRAHAM (Cork County, N.E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state whether the stoppages made from the pensions of naval and military inmates of Irish district lunatic asylums, on account of the rate in aid of 4s. per head per week allowed for patients confined therein, are refunded to the Treasury or to the Irish Local Taxation Account, from which latter account the rate in aid is now provided.

THE FINANCIAL SECRETARY TO THE TREASURY (Mr. HOBHOUSE, Bristol, E.): These deductions are retained by the Paymaster-General, and consequently accrue for the benefit of the Exchequer.

Scottish Education Bill.

MR. EUGENE WASON (Clackmannan and Kinross): I beg to ask the Prime Minister whether he is now in a position to state on what days the Report stage of the Scottish Education Bill will be taken.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. ASQUITH, Fifeshire, E.): I propose to-morrow to make a statement as to public business for next week, which I hope will include an announcement as to the Report stage of the Scottish Education Bill.

Palace of Westminster--Brawling in the Precincts.

EARL WINTERTON: I beg to ask the Prime Minister whether, having regard to the difficulty of punishing disorderly persons of both sexes who create a disturbance within the precincts of the Palace of Westminster, he will consider the advisability of introducing a Bill to make brawling within the precincts of the Palace of Westminster an indictable offence.

MR. ASQUITH: The whole question of more effectually safeguarding the House against the disorderly action of strangers appears to me well worthy of consideration.

Irish Land Purchase.

MR. JOHN REDMOND (Waterford): I beg to ask the Prime Minister if he will state when the amending Land Bill for Ireland, promised in the King's Speech, will be introduced; and whether that Bill will deal with the three questions of general amendment of the law, the question of congestion, and the finance of the Land Act of 1903.

The following Questions on the same subject also appeared on the Paper:—

MR. WILLIAM O'BRIEN (Cork): To ask the Prime Minister if he can relieve the suspense in the West of Ireland by stating definitely whether the Government intend to press the Bill for the relief of congestion through the House of Commons this session.

Mr. WILLIAM O'BRIEN: To ask the Prime Minister whether facilities will be given for the prompt discussion of the Government's promised proposals with respect to land purchase finances.

Mr. LONSDALE (Armagh, Mid.): To ask the Prime Minister whether he can now state when the proposals of the Government with regard to Irish Land Act finance will be laid before the House.

Mr. ASQUITH: My right hon. friend the Chief Secretary will at an early date, probably on Monday, 23rd November, introduce a Bill dealing with land purchase finance, the relief of congestion in the West of Ireland, and the Amendment of the Land Laws. Until he has an opportunity of doing this, the Government after full consideration, think that it would be premature and inexpedient to explain their proposals as to any single one—such, for instance, as land purchase finance—of the several important matters with which the Bill will deal, or as to other matters closely connected with the subject. But it is perhaps desirable that I should say that the statement of my right hon. friend will show that a revision in regard to future transactions of the existing financial arrangements under the Land Purchase Act, 1903, is contemplated as from 1st November last. In reply to the hon. Member for Cork, I may say that if the proposals of the Government are fortunate enough to meet with general approval, both in this House and elsewhere, it is at least possible that the Bill may become law this session.

Mr. WILLIAM O'BRIEN asked the right hon. Gentleman whether he did or did not adopt the statement of a Member of the Government that it was impossible for any Bill dealing with congestion to pass through either House of Parliament this session.

Mr. ASQUITH: My attention has not been called to that statement, and I would only repeat what I have said, that "if the proposals of the Government are fortunate enough to meet with general approval," I see no reason why they should not be passed.

Mr. WILLIAM O'BRIEN: Am I to understand from the right hon. Gentleman's last Answer that the Government have not quite abandoned the hope of bringing about a settlement of this question by the same method of friendly agreement by which the Act of 1903 was passed?

Mr. ASQUITH: I have certainly not abandoned hope.

Mr. CHARLES CRAIG asked whether they were to understand from the right hon. Gentleman's Answer that they were to have no further statement.

Mr. ASQUITH: I have made the whole of the statement I am in a position to make to-day.

Mr. GINNELL (Westmeath, N.) asked, with reference to the expression "congestion in the West of Ireland," whether, seeing that the same problem existed elsewhere, the right hon. Gentleman thought it fair or prudent to leave the landless people of the other parts of Ireland to their own resources.

Mr. ASQUITH: When I spoke of congestion in the West I was referring to the Report of Lord Dudley's Commission and to the ground covered by it.

Public Accounts Committee.

Mr. BOWLES (Lambeth, Norwood): I beg to ask the First Lord of the Treasury whether he can now state what day he proposes to allocate for the usual annual discussion by the House of the Reports of the Public Accounts Committee.

Mr. ASQUITH: The hon. Member speaks of "the usual annual discussion," but in point of fact during the six years, 1902 to 1907 inclusive, the Report was only twice discussed. I adhere to the opinion which I have already expressed that if possible an opportunity should, as a rule, be provided every year for a discussion, but I cannot at present make any pledge with regard to the present session.

Licensing Bill.

Sir EDWIN CORNWALL (Bethnal Green, N.E.): I beg to ask the Prime Minister whether the Amendments to the Licensing Bill, foreshadowed on Friday last, as regards Sunday closing will permit licensed premises in London to be opened on Sunday; if so, for how long; and whether the Government will consider means of meeting the requirements of hotels, restaurants, etc.

Mr. ASQUITH: As regards the sale of intoxicating liquors the Bill provides that licensed premises can be opened all over the country on Sunday for one hour in the morning and two hours in the evening. London has always been treated exceptionally in this matter, and I propose that an extra hour should still be allowed. As I stated on Monday, the Government propose to meet the requirements of hotels and restaurants by allowing the supply of intoxicating liquor on any licensed premises on Sunday, during the hours those premises would be open for the sale of intoxicating liquor before the passing of the Bill, to any person taking a meal on the premises in a room set apart for the purpose.

Woman Suffrage.

Mr. BEAUMONT (Sussex, Eastbourne): I beg to ask the Prime Minister if he will afford facilities for discussing during the present session a Motion relating to Woman Suffrage, on which a notice now stands on the Order Paper of this House.

Mr. ASQUITH: No, Sir; as I have already stated, time cannot be found for the discussion of contentious matters.

Unemployment and Government Departments.

Mr. T. F. RICHARDS (Wolverhampton, W.): I beg to ask the Prime Minister whether, owing to the amount of distress in the country and the dearth of situations, he will take steps to secure in the various Government Departments that pensioners should not have preference above those who have neither income nor employment.

Mr. ASQUITH: So far as I am aware the only pensioners to whom any preference is given in selecting candidates for appointments in the public service are those who have served in the Army, Navy, or police; and I do not think that it would be advisable to interfere with the existing practice as regards these classes.

Mr. AUSTEN CHAMBERLAIN (Worcestershire, E.): Has any new Order been issued by the Treasury on the subject applicable to the Customs?

Mr. ASQUITH: Personally, I know nothing about it. Perhaps the right hon. Gentleman will give notice.

Moray Firth Fisheries.

Sir GEORGE DOUGHTY (Great Grimsby): I beg to ask the Prime Minister whether, considering the unrest amongst English and Scottish trawl fishermen, he will use any power the Government possesses immediately to repeal Section 7 of the Herring Fishery (Scotland) Act, 1889, and the by-laws thereunder by which Moray Firth, embracing 1,000 miles of open sea, is closed against British fishermen; whether the closing of such areas is a distinct breach of international law; whether he is aware that as a consequence German and Norwegian fishery companies have recently been formed for the special purpose of fishing these waters where valuable flat fish abound which cannot be caught by line fishermen; and whether it has come to his knowledge that indignation meetings of English and Scottish fishermen are being held resenting the injustice to them of British cruisers being maintained in these waters to arrest and prevent them earning a livelihood there, while thereby protecting and preserving these waters for the exclusive use of foreign fishermen.

Mr. ASQUITH: The Government have no intention of repealing Section 7 of the Herring Fishery Act. The closing of the Moray Firth to British fishermen involves no breach of international law. No information has reached us as to the recent formation of *bona fide* German and Norwegian companies as described. The Bill of the Government will remove any injustice which, under the present circumstances, exists as between English and Scottish trawlers in respect of trawling in the Moray Firth. Meanwhile, I do not consider that any injustice is caused to English and Scottish fishermen by the maintenance of British cruisers in these waters.

MR. CATHCART WASON (Orkney and Shetland): In view of the importance of this matter to the Scottish fisheries, will the right hon. Gentleman consider the propriety of putting down the Bill for an early day?

MR. ASQUITH: I hope to be able to make a statement to-morrow.

An Unanswered Question.

MR. WILLIAM REDMOND: On a point of order, Mr. Speaker, may I ask you why Question No. 90 on the Paper was not asked, but was passed by; also whether it is in order to put a Question on the Paper and leave it there. The Question involved a charge against a Member of this House, and it was not asked when the time came. This Question referred to the hon. Member for East Clare, and I have reason to know that he is greatly interested in it.

[Appended is the Question referred to—

MR. LONSDALE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he will state the number of cattle-drives reported from North Clare prior to 20th September; whether an official shorthand writer attended the meeting held on that date under the auspices of the United Irish League at Lisdoonvarna; whether he furnished a transcript of the notes of speeches made by the hon. Members for East Clare and East Limerick; whether the transcript discloses any expression of encouragement or disapproval of cattle-driving; and whether he will state the number of cattle-drives that have taken place in that district since the date named.]

*MR. SPEAKER: I am informed that it is postponed because the hon. Member in whose name it stands thought there was no chance of its being reached, and in order to give other Members a chance I did not call upon the hon. Member.

MR. WILLIAM REDMOND: May I ask whether it is in order to put a Question on the Paper for two or three weeks, and not ask it when it is reached? Would it not be the correct thing to remove it altogether or ask it.

MR. LONSDALE: May I say that the Question to which the hon. Member refers was postponed on my request, as I wished to have an oral answer, and at the time I asked the Question there seemed very little possibility of its being reached. It has been on the Paper three or four days, and it has been postponed from day to day for the purpose of getting an oral answer.

MR. WILLIAM REDMOND: May I ask whether it is in order not to ask a Question when the opportunity arises, and whether in view of the fact that this Question involves a charge against a Member of the House it cannot be answered at once. I may point out that it makes a reference to an alleged speech made by the hon. Member for East Clare. Would I be in order in saying that I can answer the Question by saying that I am ready to make the speech now. I think it is a very good one.

*MR. SPEAKER: The hon. Member in whose name the Question stands has given an explanation of the circumstances under which he postponed it, not expecting that it would be reached. He informed me, and accordingly I did not call upon him.

MR. LONSDALE: I am ready to ask it now.

MR. WILLIAM REDMOND: Cannot it be put at once? It may save a lot of time and trouble.

*MR. SPEAKER: I think we had better follow the usual rule.

TUBERCULOSIS PREVENTION (IRELAND) BILL.

Reported, with Amendments, from Standing Committee A.

Report to lie upon the Table, and to be printed. [No. 315.]

Minutes of the Proceedings of the Standing Committee to be printed. [No. 315.]

Bill, as amended (in the Standing Committee), to be taken into consideration upon Monday next, and to be printed. [Bill 366.]

POST OFFICE SITES BILL [LORDS].

Reported, with Amendments, from the Select Committee, with Minutes of Evidence.

Report to lie upon the Table, and to be printed. [No. 316.]

Bill, as amended, re-committed to a Committee of the Whole House for Friday, and to be printed. [Bill 367.]

PUBLIC PETITIONS COMMITTEE.

Seventh Report brought up, and read; to lie upon the Table, and to be printed.

LICENSING BILL.

Considered in Committee.

(In the Committee.)

[Mr. EMMOTT (Oldham) in the Chair.]

Clause 36:

*MR. EVELYN CECIL (Aston Manor) said he would like to ask whether they could discuss generally the matters dealt with in Clause 36.

*THE CHAIRMAN said he could not make any general alteration of the ordinary rule and they had better see first how the discussion went.

*MR. EVELYN CECIL moved the omission of subsection (1), which, he said, was somewhat of a factitious Amendment, because he understood that some other Amendments of great importance had been ruled out of order for one reason or another, and the only means by which these important subjects could be brought up was by moving to omit the subsection.

*THE CHAIRMAN said that some of the Amendments on the Paper were out of order, because they involved new clauses, but others were merely out of order because they were in the wrong place.

*MR. EVELYN CECIL said that this was the first Amendment he had had the opportunity of moving at all. The Opposition had been charged with not endeavouring sincerely to amend the Bill, so as to give an excuse to the House of Lords for throwing it out. On his own behalf, he wanted to disclaim any such suggestion. He had had a number of Amendments down, and all of them, he thought, would have been admitted to be of substance, and he could only protest against the position in which he was placed in consequence of the extremely drastic closure Resolution, which was so wholly unprecedented, and which obliged him to avoid bringing forward questions in their proper place, and to devise some ingenious Amendment so as to circumvent the closure Resolution. To turn to this subsection he desired to move its omission because he did not feel satisfied that as regards a very large number of clubs, the provisions of the clause were either just or fair. He had no doubt that the object of the Government was to exclude bad clubs from registration, and they had no intention, as he understood it, to hamper the members of *bona fide* clubs, but in his opinion these clauses certainly did not carry out their intentions. What did they do? They inflicted great hardships upon *bona fide* clubs; they needlessly irritated and annoyed them. In this matter two effects of the Bill seemed to stand out pre-eminently. In the first place, by forcibly reducing the number of licences, the Bill encouraged clubs of all kinds, good and bad, and he should say especially the bad clubs, because the more they reduced the number of licences, which perhaps ought to be reduced, the more they were likely to send the persons who frequented such public-houses to combine in what might be described as bogus drinking-clubs. He need hardly remind the Committee that a club, as opposed to a public-house, had no licence duty to pay, had no compensation levy charged upon it, had no restricted hours of opening, had no assessment which included the value of the licence, had no restriction on games of any kind, and had very slight police supervision over it. All these circumstances combined to increase rather than lessen the probability of this reduction in the number of licences creating a larger number of indifferent clubs, and he need say nothing in addition of the efforts which were sure to be made on behalf of professional club promoters. A second effect of this legislation would be that in the endeavour to check bad and bogus clubs this clause would penalise well-conducted ones. He did not believe that the party opposite desired to attack club life in general, but he was bound to say that the provisions of this clause went perilously near doing so unless some substantial Amendments were accepted. Strong objections were taken on behalf of respectable clubs to the propositions in this and other clauses. In this clause the jurisdiction for the first time was established of licensing justices instead of the stipendiary magistrates or courts of summary jurisdiction which had hitherto governed these matters. That provision was strongly resented by every respectable club he knew. In the next place the secretary of a club was made responsible for the misconduct of members. That was an aburdity. It was a futile proposal and one which was grossly unfair to the secretary. The proposal giving the police power to search without warrant was also strongly resented by all respectable clubs.

MR. MARKHAM (Nottinghamshire, Mansfield) on a point of order, asked if the hon. Member was in order in discussing the whole of these clauses on this Amendment.

*THE CHAIRMAN: I was just going to intervene. It is clearly out of order to discuss all the other clauses on this Amendment. The motion is to omit subsection (1) which requires the annual renewal of registration of a club under the Licensing Act, 1902. That opens up a wide field but it has nothing to do with subsequent clauses.

*MR. EVELYN CECIL said he was simply instancing the general effect it would have upon respectable clubs. He thought it was a great pity that the Government, in drafting this and subsequent clauses, did not consult expert opinion upon the question. The expert officials of respectable clubs had no more love for mere bogus or bad clubs than the Government had. If this clause had been drafted by the officials of well conducted clubs, who understood the matter thoroughly, it would never have taken the form which it had taken, and it would not have been open to the objections he was now urging. Therefore the only course to be adopted was to endeavour to exempt the *bona fide* clubs from the operation of this and other clauses. He submitted that the second Amendment standing in his name more nearly effected that object than any other which he could devise.

*THE CHAIRMAN: I really must ask the hon. Member not to refer to his Amendment. We have nothing to do with his or anybody else's Amendments on the Paper until we arrive at them.

*MR. EVELYN CECIL said it was difficult to ignore those Amendments, and as the Amendment he was moving raised the whole question of the renewal of licences, he merely wished to discuss the exemptions. If it were so arranged that these other respectable clubs should be exempted from the conditions of annual licenses as laid down in Clause 36 and other clauses, much would be done to remove the objections which many clubs had felt on this score. He submitted that that was the best way of doing it. It was important to bear several principles in mind in suggesting the exemption of respectable clubs. It was not desired in any part of the House to draw any distinction between clubs in Piccadilly and clubs in Whitechapel, and any exemption ought to apply equally to *bona fide* clubs all over the kingdom. He did not in any sense desire to create a class of privileged clubs. If exemption was granted to any club which had been established for five years, and was managed by a committee periodically elected to whom the secretary was responsible, and against which no charge had been substantiated under Section 28 of the Licensing Act of 1902, there would be no really privileged class of clubs set up. Any exemption of that kind would not apply merely to existing clubs but to all clubs, for as soon as they came under the conditions laid down, they were all equally treated. He begged to move this Amendment largely in order to draw from the Government a statement of their intentions in regard to these clubs. As the Bill was drafted it unduly affected and annoyed the respectably conducted clubs, and the Committee had a right to know at this stage, before further Amendments were discussed, what the general intentions of the Government were. He begged to move.

Amendment proposed—

"In page 18, line 3, to leave out subsection (1)."—(*Mr. Evelyn Cecil.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

*SIR FRANCIS CHANNING (Northamptonshire, E.) said the precise question before the Committee was the annual renewal of the registration of clubs, the object being that such registration should be annually revised in order to see whether clubs were really fulfilling the conditions laid down in the Act of 1902 and this Bill, under which they would enjoy the privileges of clubs. That was the whole question raised by this subsection. He wished to speak without any hostility to clubs, and as a matter of personal interest he had every reason to speak otherwise. He was familiar with the club movement, with its history, and had known intimately the men who had initiated it, Mr. Henry Solly and Mr. Hodgson Pratt and others, and perfectly understood their objects and ideals, and their motive finally in admitting liquor into the clubs in order to draw to them the men who frequented public-houses. He represented probably a vastly larger body of club members in proportion to his electorate than any other man in the House of Commons. He hoped, therefore, that the Committee would credit him with sincerity in what he was going to say upon these clauses, about which he wished to speak with absolute freedom and frankness and without the least regard to his own personal interest. The Act passed by Mr. Ritchie some six years ago contained clauses which imposed certain restrictions and tests upon the workmen's clubs of this country, which were largely suggested by the committee of the Club Union themselves. Those clauses were not condemned by this Bill, but when they said they must be strengthened, the club spokesman made the very natural but at the same time very conspicuous mistake of asserting that those conditions ought to be like the laws of Medes and Persians and ought not to be altered to meet the conditions of the present time. The enforcement of those conditions since 1902 had had a most beneficial effect upon the character of the clubs of this country. They had removed a great many evils which existed within the club movement. But what he wished to point out was that they were now face to face with a wholly different situation. In 1908 with this legislation before them the situation was different from that which Mr. Ritchie had to face in 1902. He would be out of order if he discussed in detail the various proposals of the Bill and the Amendments on the Paper on which he formed that conclusion, but he thought he would be in order in saying this much: that the sweeping provisions of this Bill would undoubtedly effect a very large reduction in the facilities for drinking in on-license houses, and that would create a wholly different situation in regard to the clubs of this country which would call not only for the imposition of new restrictions upon existing clubs and on the formation of new clubs, but also for greater vigilance and a more constant and frequent assertion of the principles under which clubs could safely be allowed to retain their privileges. They not only required greater restrictions to check the evils of club life, but by annual registration they ought to insure every year an opportunity of effectively checking those clubs in order to see that they were answering their requirements and whether any serious or grave objection could be advanced against them. It seemed to him that they should be restricted and supervised with greater vigilance and frequency. Everyone knew what were the great dangers which had to be combated at the present time. He would put it in a nutshell by saying that the real danger to-day was not only the development of club life in lieu of that of public-houses, but of clubs becoming mere unlicensed public-houses and unlicensed and unregulated music-halls. That had reached a pitch calling for more stringent regulations and checks on the part of Parliament, not only in the interest of society, but of the highest ideals of club members themselves. Some of the clubs which he represented were places which really only as a matter of form would require the annual renewal of registration provided for by the subsection which he was now supporting. There were clubs which really fulfilled the social idea, and which were capable of fulfilling that idea to a still greater extent. They were helping the social life of their districts and contributing to great social improvements and reforms. They did not wish to wipe away these clubs, but they did wish to see that the clubs to which young men, and sometimes young women also, were attracted were properly conducted, and that those resorting to them were not injured by the music-hall entertainments given in these places. He knew a great deal regarding the evils of clubs of that kind. He did not wish to dwell upon them too strongly, but he urged those who desired to make clubs useful social institutions to give the fullest support to the Government proposals now before the Committee. The Majority Report of Lord Peel's Commission insisted on the necessity of annual checking and revising in connection with clubs, and of opportunity being given for legitimate objections being brought forward, on the ground that they were not properly fulfilling the social conditions for which they existed. That necessity was ten-fold stronger now than at the time the late Lord Ritchie introduced his Bill.

Mr. A. J. BALFOUR (City of London) said he understood that the Chairman had ruled that this was not an unfitting opportunity to do what he was quite sure ought to be done, namely, to survey the general scheme of adding restrictions to those which already existed regarding clubs, the relation between those restrictions generally, and the whole scheme of the Bill as it dealt with on and off-licences. He was sure the broad question ought to be discussed. It was one of the most difficult points of the Bill, as was admitted by the Prime Minister, who, he greatly regretted was not present. It would be well, before entering into a discussion of details, to pause for one moment to consider what relation the proposed legislation contained in this portion of the Bill bore to the general scheme of the Government. His own view he could put very briefly. If he was right, he thought the whole Bill stood condemned; if he was wrong, he desired most earnestly to hear from the Minister in charge of the Bill what view the Government really took of this most vexed and complicated group of problems which were inevitably raised when they tried to deal by increased restrictions with the difficulties and evils of clubs. This subsection was preliminary to making further restrictions upon the freedom of Englishmen to associate themselves in clubs for social purposes. He was not one of those who held that the power of association should be absolutely unlimited even in the freest country. He was a member of the Government — the only Government which, so far as he knew, had ever passed any temperance legislation—which embodied in a statute the only restriction which existed upon clubs, and which he was disposed to think, went as far as was wise in restricting the liberty of Englishmen. But he quite agreed that when the Government came forward with a measure that was going to put so enormous a restriction upon the power of retailing alcoholic liquors in licensed premises, they were necessarily brought face to face with the problem of clubs. He thought it was one of the fundamental difficulties of the whole scheme of legislation they were discussing. His own view was that they could not and ought not to attempt any serious restriction of clubs. He did not argue whether there was any serious attempt to restrict the liberty of association for the purposes of club life in these clauses. The hon. Gentleman opposite had touched upon the evils which he said arose from introducing music-hall entertainments into London clubs and clubs in other centres of population. There might be evils. He did not deny that there were. He had been startled by some of the documentary evidence put before him as to the entertainments given in certain Radical clubs in London on Sunday afternoons and evenings to their members. He should have doubted the wisdom of the course they were pursuing. He should not be in order in dealing with that. Nor was the hon. Member in order, because there was not a single provision in this Bill which was intended to restrain, or which would restrain, the abuse, if abuse it were, of the power of having music-hall entertainments on Sunday afternoon and evening. That went absolutely untouched. What was the evil the Government wished to touch? It could only be the evil which arose from the fact that in clubs, as universally understood in this country, whether of the rich or of the poor, it was the understood privilege of the members, in addition to the other privileges of the club, that they could obtain alcoholic beverages.

MR. LEIF JONES (Westmoreland, Appleby): It is not universal.

MR. A. J. BALFOUR said there might be clubs where non-alcoholic beverages were sold. He was perfectly certain that there was not one of the clubs that the hon. Member belonged to which laid down such a self-denying ordinance. He should say that the number of clubs where alcoholic drinks were not sold bore but a small proportion to the actual number of clubs in existence. The point he raised was that hitherto it had been regarded as a national and almost inalienable privilege for the ordinary Englishman that he could associate himself with his fellows to form a club for social purposes, and that that liberty included the consuming of alcoholic beverages. He believed it would be insanity from a practical point of view, and a gross infringement of the ordinary liberties of Englishmen, to attempt to deprive them of that privilege. If that were true, they might irritate and annoy clubs, they might send in policemen at this and that hour, they might require the secretary to do this or that, they might insist upon registration at this or the other season of the year; but so long as substantially they allowed people who had associated themselves in a social club to consume alcoholic liquors, so long as they left that privilege untouched, they really left untouched the group of questions which arose from the fact that they had, on the one side, unlicensed premises where drink could be sold, and, on the other, licensed premises under the closest police supervision, where liquor could not be sold except at certain hours on certain days, and under stringent, and, as he thought, not always very wise, conditions. Did anybody deny that this problem presented great difficulties, and that the scheme of the Government only touched the surface of them? So far as the scheme of the Government was aimed at the preventing the consumption of alcoholic liquors in genuine clubs—if it was aimed at that—it was a sham. The Government's legislation would not stop a single glass of whisky or a single pint of beer being consumed in any *bona fide* club in the Kingdom. If all this legislation about clubs, therefore, did not touch the vital question of the competition between the club and the public-house, then he asked whether the restrictive legislation on public-houses contained in the other part of their Bill was not completely out of harmony with the liberty which, even after this vexatious Bill was passed, they really left to the clubs. Was it not evident that if they were going to draw tighter and tighter the hours in which the liquor was to be sold on licensed premises, to make more and more rigid the conditions in which the public-house was to carry on its trade, they would inevitably add to the number of clubs in existence, where they could get three things which they could get at a public-house under the restrictions of an extremely stringent law? They would be able to get society, drink, and food; and those were the three things which, after all, men of all classes desired to get in their club. To a certain extent these were given by the competing institution of the licensed public-house. It was true that in some of the large cities the public-houses were largely places where liquor only was sold, and he was afraid that the effect of this legislation would tend to increase the number. Personally, he thought that their extension would be a great calamity, but if this was undoubted in a great number of the licensed premises in great cities, in a large proportion of those in the country districts it could be said that they were places in which the people desired, not merely alcoholic liquor, but some of the features of social life which the club gave in a more perfect form, and which had been enjoyed from time immemorial in hotels, inns, and public-houses. Having these two methods of meeting these widely diffused wants, the Government put the most stringent regulations on the one class, and some irritating and, he thought, wholly illusory, restrictions on the other class; and then Ministers went about pretending, and falsely believing, that they had put in force a generally restrictive system against the sale of alcohol in the country, when, as a matter of fact, they were only driving the sale from one set of premises where it could be looked after into another set where, they might depend upon it, the feeling of Englishmen would never allow them to impose the kind of control to which licensed premises were subjected. That was the problem with which they were faced in this portion of the Bill. It was raised by the Amendment of his hon. friend. He most earnestly desired to hear from the Prime Minister some general survey of the relations which the Government thought ought to exist as between licensed premises on which restrictions were imposed and the whole system of clubs, of which they were merely scratching the surface. That was a problem of pressing insistence. Everyone must know that the number of clubs was increasing, and that the abolition of the public-house had been immediately followed by the substitution of clubs, not illegitimately, not for the purpose of substituting an unlicensed drinking place for a licensed place, but because the public-house ministered to certain legitimate wants of the community. The Government deprived them of that, and the people supplied themselves by another kind of machinery, by another method, which right hon. Gentlemen could not, and dared not, control, with exactly the same kind of indulgences which the Government wished to restrict in another direction. That was the root objection he had to offer on this aspect of the question. He took much smaller interest in the particular provisions for interfering with clubs. He thought they were vexatious, and, if they took the club system as it would exist after the Bill was passed, he said that the Government had not touched the main and central problem of the promotion of temperance through an attempt to deal with drink by restriction. On the one side they had the public-houses greatly diminished in numbers and restricted in hours, made more onerous and difficult to carry on, made, in fact, intolerable by every means in the power of the Government; and, on the other hand, they had a large and growing number of places brought into existence for the mutual convenience of their members, where all that went on in the public-house could go on practically unchecked. If the Government insisted on shutting the public-houses beyond the point which the feeling of the locality would tolerate they would see spring up clubs, the *bona fides* of which they could not deny, but which in many cases were less carefully conducted than the public-house, which the police had in the hollow of their hand. He hoped the Government would take the opportunity of telling them how they viewed this fundamental difficulty lying at the root of their whole legislation and would give them an opportunity of discussing the theories of the Government on those questions which had not been touched upon in the course of these debates. He asked respectfully of them that they would deal with the difficulties which he had ventured to raise.

*THE UNDER-SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. HERBERT SAMUEL, Yorkshire, Cleveland) said it was difficult to understand from the speech of the right hon. Gentleman what attitude the Opposition proposed to adopt in respect of the club clauses of the Bill. He desired to point out to the Committee, in the first place, that while, on the one hand, the Government had been attacked again and again in the House and in the country because they had not done enough to limit the evils of clubs, and for that reason the Bill was not a temperance measure, the right hon. Gentleman now said that, after all, the clauses of the Bill were far too stringent, and that he disapproved of them on that ground.

MR. A. J. BALFOUR: My opinions have been always the same. In my opinion it is perfectly preposterous to say that you promote temperance legislation by dealing with restriction while leaving the clubs undealt with. I am opposed to the restriction of clubs, and, therefore, I am opposed to the whole scheme.

*MR. HERBERT SAMUEL said that the situation which existed to-day was not the creation of this Bill, but the creation of the Act of 1904. While that Act did undoubtedly promote a reduction in the number of public-houses it did not contain one syllable from the first page to the last, as to the evils which might arise from the growth of drinking clubs. As to this particular Bill, they were entitled to ask the right hon. Gentleman whether he considered that the Government were going too far or not far enough. The right hon. Gentleman was apparently anxious to secure the support of those who said that the Government were going too far, and also of that other body of public opinion which held that the Government were not going far enough. The position of the right hon. Gentleman apparently was that either they must deprive clubs of the right to sell liquor absolutely, or they must do nothing. That was not the view of the Government. The view of the Government was that the task before them was to discriminate between those clubs which did lend themselves to abuse and in which drunkenness occurred, and those institutions, which were the majority of working-men's clubs, in whch the sale of alcoholic liquor was merely an incident, and which existed mainly for social and recreative purposes. The bad club, the club which was really a co-operative public-house unlicensed and uncontrolled by the law, was not the rule, but the exception. The Licensing Commission took much evidence on this subject, and in Lord Peel's Report there were many interesting passages dealing with this subject.

> "The real truth is that the extension of the franchise, the spread of education, and a general improvement of conditions among the working classes have had a great effect in promoting clubs. Besides these, political influences have been at work. Mr. Bryans, secretary of the Association of Conservative Clubs, told us that the Association contained 587 clubs, of which about three-fourths sell intoxicants. He strenuously denies, as does Mr. Hall, that the activity of the club movement is due to desire for drink. The main object of our clubs is good fellowship and education, concerts, lectures, and that sort of thing. I do not think the main object is drink in the least."

> "No doubt, a certain class of club is, as we shall see, a very great evil, and should be put down with a strong hand, but these are comparatively few, and have attracted attention out of proportion to their numbers."

> "We fully agree with all that has been said by Mr. Hall and others as to the benefits to be derived from properly constituted and well-conducted clubs. We believe that such clubs can and will do much to meet the needs awakened among the working classes by education and general improvement of conditions for some better means of social intercourse and recreation than those provided by the public-house."

> "But even at the worst a club is more capable of improvement than the public-house, for a club, unless ostensibly formed for drinking purposes, in which case it should be summarily suppressed, has better objects in view, which sooner or later a public opinion will spring up and enforce. Under proper regulation great things may be hoped for from the club movement."

These passages summed up much more that might be said on the subject. The Government were anxious not unduly to restrict the activities of properly conducted working-men's clubs, but, while saying that, they did not by any means accept the view of the right hon. Gentleman, that they were not doing anything at all to meet what was unquestionably a growing evil. If the club movement was uncontrolled dangers would arise. Already clubs supplying alcoholic liquor were increasing in number, but the growth was not so great as was sometimes imagined, because the basis on which the estimate was often calculated was unsound. Some opponents of the club movement pointed out that a return presented to the Royal Commission in 1896 showed there were then 3,990 clubs, while now there were just about 7,000; but the figure of 3,990 did not correspond with the subject matter of the recent figures, because in 1896 only those clubs were counted which were clubs in the ordinary acceptation of the term, while now there were included in the returns every institution where a few men gathered together, though it might be an athletic club, a masonic lodge, or a Volunteer canteen, so long as they supplied alcohol. He would venture to draw the attention of the Committee to some interesting figures given by Mr. B. T. Hall, of the Club and Institute Union. In regard to Birmingham, the Police Return for 1896 showed thirty clubs. A year or two ago the Home Office Return showed eighty-three clubs.

But that increase of fifty-three was accounted for in forty-seven cases by masonic lodges, bowling and tennis clubs, Volunteer canteens, and other similar institutions, leaving the actual increase only six. There had, however, been a steady growth in the number of clubs on comparable figures, but an increase not by any means to be compared to the decrease in licensed houses. Taking the country as a whole, the clubs were increasing by about 200 a year, while licences were decreasing annually at the rate of 1,600—1,200 with compensation under the Act of 1904, and about 400 owing to misconduct or dropped licences.

SIR GILBERT PARKER (Gravesend): Can the hon. Gentleman give figures of membership?

*MR. HERBERT SAMUEL said he found that the average membership in the 1,100 clubs which were contained in the Club and Institute Union had hardly varied at all. In 1903 the average membership of the 1,100 clubs was 291, and last year it was 296. One was not able to get figures of unorganised clubs, but there was no reason to think that the club unit represented to any considerable degree a higher membership than a few years ago. There was no question, however, that there were clubs which existed mainly for the sale of intoxicating liquor, and in which drunkenness did exist, and to discriminate and effectually to suppress and limit the evil of the drinking clubs was the purpose of the clauses now to come before the Committee. He had hoped to take a general survey of the present law relating to clubs, and to show how largely it was extended by the proposals made in the Bill, but he understood that would be out of order on this Amendment.

MR. A. J. BALFOUR suggested that it would be convenient if the Government could tell them of any general change or modification of policy in contemplation.

*MR. HERBERT SAMUEL said that with the leave of the Chair and without going into detail he should only be too happy to take the survey which the Leader of the Opposition suggested. In the first place the Bill must be read in conjunction with the Act of 1902, which already contained very large and drastic powers for dealing with certain classes of clubs.

*THE CHAIRMAN said that before the hon. Gentleman went on he would say that if he thought that information was necessary to be given for discussing the details of the particular clause he should allow him to give it, but he could not allow the whole of these clauses to be discussed in a haphazard way, upon this Motion to omit subsection (1). He thought it right to say that before the hon. Gentleman began.

*MR. HERBERT SAMUEL said that perhaps the Chairman would be good enough to intimate to him any point at which he thought he was going a little too wide, but it was rather difficult on the one hand to fulfil what was the desire of the Committee and the Government to state clearly their policy on this matter, while not going into subordinate questions which were an essential part of that policy. As he was saying, it was essential that this part of the Bill should be read with the existing law which regulated clubs. The present law required that clubs which sold alcohol should be registered, and required certain particulars to be given on registration. That registration was automatic; it could not be refused by the registering authority. There were penalties for the supply of liquor in any club which was not registered, and that was all; but a club which had once been registered could be objected to and struck off the register on a variety of grounds set out in Section 28 of the Act of 1902, such as the fact that it had less than twenty-five members, that it was not conducted in good faith as a club—that covered many Amendments on the Paper—or that it was habitually used for unlawful purposes, or that frequent drunkenness was permitted, or that persons who were not members were habitually admitted to the club for the purpose of obtaining intoxicating liquors, or that the club occupied premises which during the twelve months next preceding had been carried on as a licensed house, and so forth. It was also provided that there should be an interval of at least forty-eight hours between the nomination of members and their admission, and that the control of the supply of intoxicating liquor should be vested in the members or committee appointed by the members. The Committee would see that these were very considerable powers which must be taken into consideration in discussing any future questions of policy. Then there was power put in the hands of the magistrates on sworn information to issue a search-warrant and give permission to enter the club.

MR. MARKHAM objected to the hon. Member dealing with questions concerning which he had an Amendment on the Paper. They were under the guillotine, and he stood the risk of being shut out.

*THE CHAIRMAN said the hon. Member had not travelled out of the narrowest interpretation of the ruling he had given. He was only explaining the Act of 1902.

MR. MARKHAM: I beg your pardon. The hon. Member was referring to provisions which the Government had put down on the Paper.

*MR. HERBERT SAMUEL said that he was referring only to the Act of 1902. The magistrates could issue a warrant to enable the police to enter a club.

MR. BARNARD (Kidderminster): How many times have they done that?

*MR. HERBERT SAMUEL replied that every year between seventy and eighty clubs were struck off the register. In fact as large a percentage of clubs were struck off the register every year under the Act of 1902 as public-houses were reduced under the Act of 1904.

MR. BARNARD: On what grounds?

*MR. HERBERT SAMUEL said on various grounds, but mainly on the ground of permitting drunkenness. It was proposed by the clause that the registration should be subject to annual renewal, and they provided opportunities for objection both on the first registration and on renewal, which would give an annual opportunity for the position of clubs to be reviewed. It was also proposed that the registration could be objected to not only on the grounds specified by the Act of 1902, but on the ground—and this was a large extension of the law—that a club was being used mainly as a drinking club. Other proposals in this part of the Bill he was unable to enter into, but he might briefly mention that the officers of a club were made liable to a penalty in respect of drunkenness or illegal sale, and premises previously used as licensed houses might be disqualified for a period of five years. The question of clubs and off-sale he could not refer to, nor could he refer to the various Amendments that had been put down in order partly to strengthen the clauses, and partly to meet legitimate objections which had been raised in the interest of the clubs themselves. He thought he was entitled to draw attention to the fact that although the Government did not propose to set up a new judicial tribunal they could provide that the procedure of the licensing justices should be a judicial procedure, that evidence should be given on oath, and that costs might be given against persons who raised frivolous objections against clubs. The hon. Member proposed to omit subsection (1) of this clause in order to insert another Amendment to limit the operations of this part of the Act to clubs against which a charge had been proved under Section 28 of the Act of 1902; but that was an illusory Amendment, because as soon as a charge was established against a club the club ceased to exist.

MR. MARKHAM asked whether the hon. Member was entitled to refer to another Amendment on the Paper, and to go away from the one which had been moved.

*THE CHAIRMAN said he understood the hon. Member had moved to omit the subsection because the alteration he desired had not been allowed. The hon. Gentleman was entitled to refer to the matter, but he could not go into the other Amendment *qua* Amendment until the hon. Member had had an opportunity of moving it.

*MR. HERBERT SAMUEL said he was entitled to assert that among the reasons why the Government could not accept the Amendment now before the Committee was that the alternative proposed by the hon. Member who moved the omission of the subsection was an unreal one, for the reason that as soon as a charge was established against a club under the Act of 1902, the club disappeared altogether. There would be no clubs to be registered under this scheme, and the whole clause would fall to the ground. The Government held that their proposals, taken as a whole, while, on the one hand, involving no undue interference with the amenities of properly-conducted clubs, did, on the other hand, carefully watch the possibility of evil occurring, and would effectively suppress the abuses when they arose. They must oppose the Amendment.

MR. JOYNSON-HICKS (Manchester, N.W.) regretted that on this particular matter he would have to vote against his Party. He was so fully pledged as a temperance man to do what he could to remedy the great evils which arose from these purely drinking clubs, that he was bound by his previous opinions and speeches, and his very strong convictions as to the evils that these clubs did, not merely to support the clause, but to go further and move Amendments to strengthen it. He could not deal with the Amendments now, but he would be in order in explaining to the Committee that a good deal of the strengthening which he desired to put into the clause had the unanimous support of the great mass of temperance opinion, not only that on the other side of the House, but also that of the Church of England Temperance Society, on whose behalf he had put down his last Amendment. He could not help thinking that the evil of the club system had not been fully recognised by the Government. the Under-Secretary had said there was a slight increase in the number of clubs, but that that increase had not been so great as the decrease in the number of public-houses in the same period. That might be so, but there was a far greater percentage of clubs to population than there was in 1905. They had been steadily growing. He could not believe that the Under-Secretary had realised the almost unanimous opinion of those who had to administer the licensing laws, that the club evil would wreck the whole basis of the Bill. The foundation basis of this Bill was that by doing away with so many taps through which liquor ran into the body politic temperance would increase. He suggested that as the Government were going to do away with so many public-houses they must not do so without strongly curtailing the opportunities of instituting and opening an enormous number of drinking clubs. If in every locality clubs were established for every public-house taken away, the condition of England, in this "great leap forward in temperance," as it was called, would not be better, but considerably worse. Practically all the licensing benches and chief constables in the country had during the last three or four years stated in public that unless a drastic reform in the conduct of these clubs was affected in this Bill the measure would be a failure. The Under-Secretary had said that the number of clubs and of members had not greatly increased, but he (Mr. Hicks) knew that the increase of membership was certainly as great as the increase of clubs. In the last three years the membership of clubs in Birmingham had increased from 24,262 to 26,594, in Derby from 7,400 to 10,500, in Leeds from 27,000 to 29,000, and in one of the boroughs of Lancashire one out of every five persons—men, women and children—was a member of a club. That was to say that every adult male in the borough was a member of a club. The hon. Member proceeded to quote the statements made by the chairmen of various benches of magistrates, including those of Durham, Keighley, Huddersfield, Sheffield, Leeds, and Marylebone, to the effect that something ought to be done to restrict and control the operations of these clubs. If the bishops were to be called in aid of this measure as a temperance measure, as they had been called in aid by every Radical supporter of the Bill, he wanted the Government to take the bishops as a whole and not merely rely upon them when they supported one portion of the Bill—to take them as of the same value when they were supporting the Amendments for strengthening this clause. He himself had had the Bishops hurled at his head at meeting after meeting, and a Bishop was by no means an easy body to have flung at one, particularly a Churchman. But he asked hon. Members to take the Bishops' speeches as a whole, not relying on their support for one portion of the Bill, when they came to the clause which he would have the honour of submitting later. In regard to clubs, the Archbishop spoke of them as a source of danger, and Bishop after Bishop, including the Bishops of Rochester and Durham, expressed themselves to a similar effect. In asking the Government not merely to adhere to this clause, but to accept Amendments to strengthen it, he wanted to assure them that they would have very considerable support from his side of the House. He was bound to say, with all deference, that he did not agree with his right hon. Leader in his attack upon the restrictions which were placed upon clubs. He had sat at the feet of his right hon. friend, who, he thought, would find that restrictions far more stringent than those now proposed in this Bill had been imposed upon clubs by the Conservative Government. If they referred to the club legislation for Scotland they would find that the restrictions put upon clubs in that country, passed by the Unionist Party when in power, infringed the liberty of the subject to an extent ten times greater than that proposed to be laid upon clubs by the Radical Party at the present moment. In the Clubs (Ireland) Act, 1904, again, his right hon. Leader and Members of the Conservative Party had imposed restrictions many times more severe than those now under consideration. If those Acts were good enough for Scotland and Ireland, and if it were right that a Conservative Government should regard those restrictions as fair to the people of Scotland and the people of Ireland, he appealed to Members on that side of the House to do something for the cause of temperance here, by minimising the evils which undoubtedly were associated with these drinking clubs. He very seriously appealed to his hon. friends not to allow themselves to be led away by mere hostility to the Bill, but to assist the Government in making the conditions more real and effective than they were at the present time. He felt sure that there were many on that side of the House who had a strong conviction as to the infinite evil which was caused by drinking clubs, and that they would support Amendments which he and others would bring forward to strengthen the clause. These drinking clubs were frequented by men and women night and day, on Sundays and on Good Friday, and there were music, dancing, and performances into which it was not necessary that he should go, the proceedings having been fully exposed in the House on previous occasions. Such clubs were detrimental to the well-being of the people; and there was a very strong feeling about these performances on Sunday, among a large body of Churchmen and others, and particularly when Good Friday was desecrated by dancing and entertainments accompanied by hot-cross buns. One of the clubs belonging to the Party opposite advertised hot-cross buns as a speciality of a Good Friday performance. He hoped that Members on both sides would agree that they should make the restrictions to be imposed real restrictions, and do what they could to drive a nail into the coffin of these drinking clubs, which were admitted by the magistrates, who had experience in licensing matters, by an enormous number of chief constables, by the Church Army and their officers, and by all those societies which were working for the temperance cause, to be detrimental to the well-being of the people. There was nothing whatever in any of the Amendments which he had put down that would be detrimental to an honest club, whether that club were in Pall Mall, or a working men's club in any part of the country.

MR. H. J. TENNANT (Berwickshire) said he rose as a Scottish Member to give one or two illustrations of what had occurred in Scotland. The hon. Member for Manchester had said that the provisions in regard to clubs in Scotland were more drastic and stringent than those proposed in the Bill, or at present existing in England. That had been disputed by an hon. friend of his, but perhaps he might be permitted to say that he thought they were both right. Some of the provisions of the Scottish law were more drastic than those of the Bill or of the Act of 1902. Glasgow and some of the big cities of Scotland were asking for provisions in regard to clubs in connection with this Bill. An Amendment was proposed to strike out of the measure the provisions for annual registration, but in Scotland they had that provision now. The Chief Constable of Glasgow and the Deputy Town Clerk of Glasgow read very interesting papers at a conference of associations of borough officials, held at Ayr on the 28th August. The Deputy Town Clerk said that the law of Scotland in regard to clubs required revision on the lines of this Bill. Particular emphasis was laid on the necessity for annual registration, and one of his illustrations was that had they not had annual registration they would not have been able to deprive many of the bogus clubs, and many of the places called shebeens, of their registration. Perhaps the Committee would allow him to put before them one or two figures with regard to Sunday drinking, which was found to be mostly due to clubs. [OPPOSITION cheers.] Yes, and that was an argument for supporting the proposals now before them. As soon as the Scottish Act of 1903 was passed people who floated clubs felt that there would be great difficulty in securing registration, and the consequence was that the number of clubs in Glasgow fell from sixty-nine to forty-nine, and the number of Sunday cases of drunkenness fell 65 per cent. They very soon discovered their mistake, and found that it was easy to get registration under the Act of 1903. Since 1904 the number of Sunday cases of drunk and disorderly had risen from 256 to 370, and the Chief Constable remarked—

> "This increase cannot fail to be associated with the fact that during the corresponding period the number of certified clubs increased from forty-nine to seventy-one, and of shebeens from forty-six to seventy two."

He thought that that was no bad illustration of how opportunities led to drunkenness. He joined in the appeal so eloquently made by the last speaker for increased stringency of restrictions. He appealed to those who were zealously interested in the welfare of the community, and to those who took a leading part in the promotion of clubs throughout the country, to give their support to the proposal for stringent restriction. He yielded to no man in his belief that many clubs did admirable work, and deserved the thanks of the community; but surely, as the Under-Secretary had told the House, there was a considerable number of clubs which were doing the reverse of admirable work, and were sources of social demoralisation and degradation in our midst. He appealed to the managers of good clubs not to throw in their lot with the managers of drinking clubs, for such an alliance would be a very great disadvantage to the community. He asked the House to act with calmness and courage—for both were required—and also with a sense of public spirit and public duty. He believed that the measure before the House struck effectively at drunkenness, and he urged them not to lose the opportunity of reform which the Bill gave.

EARL WINTERTON (Sussex, Horsham) agreed with the Leader of the Opposition that this was not purely a party matter. His right hon. friend was careful to avoid anything in the nature of party bias and prejudice; but the Under-Secretary for the Home Department had introduced both. The difficulty with which they had to deal was entirely one for the Government to solve. They had got themselves into the difficulty, and it was their business to find a solution. A very real difficulty had arisen from one cause alone, and it could be summed up in three words: "Repression means evasion." The restrictions imposed by the magistracy and the Legislature upon drinking in licensed public-houses had led to the up-growth of unlicensed houses and clubs. He was not saying a word against them for the moment; it was not necessary to do so. These restrictions had led to the upgrowth of a number of clubs which were not licensed houses where a man could drink at his free will. The Government by proposing to increase enormously the restrictions to be placed upon licensed public-houses had brought themselves face to face with a great difficulty. They could not consistently prevent people from obtaining a moderate amount of liquor in a properly conducted licensed public-house, and at the same time allow them to obtain as much as they wanted in an unlicensed club. The difficulty was one entirely of the Government's own making, and he deprecated—and he believed his hon. friends would support him—the attempt made by the Under-Secretary to introduce irrelevant bias and prejudice into the debate. Really one would have imagined he had come down to the House with a carefully prepared speech under the impression that the Leader of the Opposition was going to make an attack on entirely different lines. They all admitted that there was a real difficulty, and they on that side of the House were as anxious as hon. Gentlemen opposite to find some way out of it, though they did not admit that it concerned them so much as the Government. Repression in this country as in every other country had led to evasion. People would find some means of getting over that difficulty and obtaining the drink they desired. The clause raised a wide and important matter. There were certain human desires—he had no doubt the hon. Gentleman below the gangway would call them vices—which could not be repressed by legislation. One of those desires was to consume a certain amount of alcoholic liquor under reasonable and pleasant conditions. That was natural in all countries and with all classes, and if they put as the Legislature and the magistrates put, and as this Bill proposed to put, a restriction on that desire—if they made it as difficult as possible for a person to satisfy that desire in public, they would compel him to satisfy it in private and by some other means. That seemed exactly to express the position that had arisen. It might be very regrettable that a man should enjoy a glass of beer in the company of his friends, but the movement having reached the stage that it had, it was impossible to blame the clubs or their members for what had taken place. The Leader of the Opposition was absolutely right in treating this matter from an unbiassed and non-party point of view. The Government had to get out of the position which had arisen and had to give some reason for it. The Under-Secretary had referred very extensively to the Act of 1902, and had endeavoured, but had failed signally, to make an attack upon the Leader of the Opposition and to draw him into a purely party controversy. He imagined the hon. Gentleman did not take the extreme view which was taken by some of his friends around him, who so far as he could gather from their attitude during these debates, objected to a man taking alcoholic drink at any time. Did the hon. Gentleman or did he not object to any man who wished to do so obtaining under reasonable conditions a moderate amount of drink in a club?

*THE CHAIRMAN: I do not see the relevancy of this.

EARL WINTERTON said he merely followed the last hon. Gentleman who spoke, and the Under-Secretary had read the whole contents of the Act of 1902. The last speaker had made extensive quotations from licensing statistics and licensing justices in Scotland.

MR. H. J. TENNANT: Entirely dealing with the question of annual registration.

EARL WINTERTON admitted that the law of Scotland had no real relevancy to the clause, as the Bill did not apply to Scotland. He did not wish to go outside the Chairman's ruling, but the whole question of clubs and of the existence of clubs and how they were going to deal with the increase of them arose under the Amendment. Provided under the subsection the number of clubs which applied for annual registration enormously increased—he believed it would increase in five years by 50 per cent.—did the hon. Gentleman think that would be a good thing or a bad thing? In other words, did the Government, in bringing forward this clause, support the extension of clubs to any number? Did they think there was any harm in any number of clubs applying for registration provided they were carried on in a proper and reasonable fashion? If the Government did not object to that they would know exactly where they were. They would know that while hon. Gentlemen opposite did object to drinking in licensed houses, they had not the least objection to drinking in unlicensed houses. The point was really relevant, and he hoped the next speaker for the Government would answer it.

THE CHAIRMAN: I cannot see the least relevance of this.

EARL WINTERTON said that his point was that if the number of clubs largely increased, would the Government look upon that as a good thing or a bad thing, and it seemed to him that that was quite relevant to the clause. The subsection dealt with the registration of clubs, and he submitted that therefore it was in order to put that question. It was the Government's business to get out of the difficulty into which they had got themselves, and he did not intend to assist them to cook their own goose. That could be left for the hon. Member for Appleby and the hon. Member for Lincoln, whom he saw below the gangway thirsting to speak. He thought that even the Under-Secretary for the Home Department would have some difficulty in justifying the attitude of the Government on this clause. In conclusion, he would quote some words of the President of the Local Government Board which were spoken, he thought, before the Bill was brought in. He would not express any opinion as to whether they were true or not, but it certainly seemed to be the feeling of many hon. Gentlemen opposite. The right hon. Gentleman said—

> "It requires some moral courage to get publicly drunk in the open bar of a public-house, but little or none to steadily soak or swiftly swill in the front parlour of a drinking club."

He hoped they would have the views of the Prime Minister upon the whole question of the registration of clubs. In his reply the Under-Secretary never once referred to his own clause. What he did was to deal with the action which he thought the Leader of the Opposition was going to take, but he had not said a word in justification of the clause or made any effort to get out of the very real difficulty into which the Government had got.

Mr. HART DAVIES (Hackney, N.) said that as far as he was aware the clubs most immediately concerned had no objection to annual registration, and if that were so, he did not see why they should be more enthusiastic in their cause than the clubs were themselves. What they objected to was the restrictions being imposed, and the way the registration was to be carried out. He ventured to say that hon. Members who were vitally interested in this question had reason to complain of the manner in which the discussion was being carried on, and he would suggest, as nobody objected particularly to this subsection, that it should be allowed to pass in order that they might get to the other parts of the clause which were far more important.

*Mr. WYNDHAM (Dover) said he agreed that this Amendment was not a matter of the very first importance. After all, subsection (1) was nothing more than an advertisement of the provisions which dealt with bogus clubs in the Act of 1902. If they had registration every year the fact that they were there might become known to more persons who might wish to lodge an objection under the restrictions of the Act of 1902. That was not an important matter, but what was important was the fact that they were now at the initial stage of the whole section of the Bill which dealt with the control of clubs, and although the debate had proceeded for two hours they had not, up to the present, received any response to the appeal which the Leader of the Opposition made. His right hon. friend did not throw down any challenge or approach the subject in a controversial spirit, but he appealed to the Prime Minister to give the Committee the benefit of the general view which the Government took of this part of the Bill, in relation to the part they had already dealt with which embodied their view as to the control of public-houses. That appeal had not been responded to, and nobody had addressed themselves to the subject at all. The Under-Secretary to the Home Office made an interesting speech, which, like this particular subsection, consisted largely of an advertisement of the merits of the Act of 1902. He read out all the clauses which dealt with clubs, and which had had a great effect upon clubs. The Committee wanted to know whether the change which the Government were making in the legislation affecting clubs effected any sound equipoise with the legislation they were bringing in to control public-houses. The tendency of every speech had been to show that although they did not address themselves to the question, the effect had been to show that that equipoise would not, under this Bill, be as sound as that established under the Acts of 1904 and 1902. As a temperance reformer the hon. Member for Manchester desired to go much further than the Government.

He admired his sincerity, and they must also admire the logic of his attitude, but the attitude of the Government had not been stated and it appeared to be quite illogical. His hon. friend felt that if they tightened up the legislation affecting the opportunities for drinking in public-houses, they should also tighten up the legislation which controlled drinking in clubs, and the whole of his speech was to that effect. The reason why he could not support his hon. friend in his desire to make the proposal of the Government more stringent against clubs was that he did not think public opinion in this country would tolerate so much interference with what was really common and private life. He did not think it would be wise to interfere with those liberties in one direction because the Government had interfered with them in another. If one scale was weighed down by too great a weight, they could re-establish the balance by putting more weight into the other scale. Another plan was by taking some of the weight off the scale that was already too deeply depressed. The Government had not given any reason for their belief that they were going to establish a better balance between the pressure of legislation on public-houses and its pressure upon clubs. He thought it was businesslike to invite some review or explanation of the attitude of the Government before they came to deal with a number of Amendments which seemed to have very little substance, and would do nothing to restore an equipoise which was effected by the Acts of 1904 and 1902. It might be argued that in the Act of 1904 they went too far in the direction of placing restrictions upon public-houses as compared with the restrictions placed upon clubs by the Act of 1902. It had been shown that since the Act of 1902 there had been a great development in the number of clubs, and their membership, and the kind of entertainments given in clubs. Therefore, although they were defending the Act of 1904, he thought that Act showed that they went at that time as far as it was possible to go in the direction of placing restrictions upon the consumption of liquor in public-houses unless they were prepared to create a greater evil in relation to the consumption of liquor in clubs. The Government had not addressed themselves to that problem, but they had placed restriction after restriction upon the consumption of liquor in public-houses, and when they came to the other end of the scale they had nothing to say to show that they had in any way considered how they were effecting an equipoise in relation to clubs.

MR. ASQUITH apologised for not having been able to be continuously present during the proceedings, and assured the Committee that it was due entirely to the fact that matters of very great importance required his consideration and was not from disrespect to the Committee, or from indisposition to listen to the arguments of the other side. He had heard enough of the discussion to make it allowable for him to offer two or three observations. As he understood the Amendment and the interpretation the Chairman put upon it, it was somewhat difficult to steer a middle course between what was relevant and what was out of order. He would briefly attempt to answer the question which had been put to him by the Leader of the Opposition as to the adjustment of the Bill—the manner in which, on the one hand, they were dealing with licensed premises and the manner in which, on the other they were dealing with clubs. He gathered that right hon. Gentlemen opposite were a little embarrassed in approaching the consideration of this matter. It was a much easier question for them to put to the Government than to answer themselves. They were in a difficulty between attacking the Bill on the one hand and the inclination not to attack clubs on the other. He gathered from the speech of the right hon. Gentleman the Member for Dover, that their view was that they had attained, after careful adjustment, in their own legislation a condition of equipoise. In 1904 the right hon. Gentleman and his colleagues passed the Licensing Act, which did not contain a single provision of any kind in relation to clubs. That Bill was advocated, as they all knew, on the ground that it would give rise to an effective acceleration in the reduction of the facilities for drink provided by public-houses, and, therefore, it might have been supposed that it would view of this problem. He and his friends held the first view; his hon. friend held the second view; but the view which the Government took was utterly illogical and could not be defended. It had not been defended. The right hon. Gentleman in his speech did not even touch it. It was because he felt the gross inconsistency between the legislation of the Government in respect to licensed premises and their legislation with regard to clubs that he welcomed the opportunity which the Chairman had allowed, to ask the Committee to try and take that wider outlook of the whole area of legislation and of which he saw no signs in the speech of the Prime Minister, or indeed, if he might speak his whole mind, in any speech delivered from the other side of the House that evening. As to the subclause itself, he did not know that a division would be necessary. The object of his hon. friend in moving it was to obtain that general survey of which he and some of his friends had taken advantage, but which apparently hon. Gentlemen opposite did not wish to embark upon. Their reluctance was intelligible and even perhaps pardonable; but he did not think that they on that side of the House could pursue the matter much further. After the ineffectual protests which had been made and after the appeals which had been made two or three times had fallen on deaf ears, he gathered that no answer having been made no answer was possible.

*MR. EVELYN CECIL said that after what his right hon. friend had said, and quite coincidently with his opinion, he begged leave to withdraw his Amendment.

Amendment, by leave, withdrawn.

A number of Amendments on the Paper having been ruled out of order—

*MR. EVELYN CECIL moved to insert at the end of the first subsection: "The provisions of this part of this Act with regard to clubs shall not apply to any club against which no charge has been substantiated on any of the grounds mentioned in Section 28 of the Licensing Act, 1902, and which is managed by a committee periodically

Mr. A. J. Balfour.

elected, to whom the secretary of the club is responsible, and which has been established for five years. Provided always that the justices in their discretion shall have power to compel any such club to show cause why it should not come under the following provisions of this Act." He was, he said, glad that they had had the general discussion because it enabled the Under-Secretary to make an incidental observation with regard to this Amendment which he thought of great importance as coming from the Government bench, but which he very respectfully submitted was not correct. The hon. Gentleman said that this Amendment was wholly illusory because, as it was proposed, the provisions of the Bill would not apply to any club against which no charge had been made on any of the grounds mentioned in the twenty-eighth section of the Act of 1902. If any charge was so made was substantiated, the Under-Secretary said that the club would *ipso facto* cease to exist. He did not agree with the hon. Gentleman that his Amendment was illusory. He had looked up the wording of Section 28, subsection (1) of the Act of 1902 which said that—

> "Where a club has been registered in pursuance of this Act, a Court of Summary Jurisdiction, on complaint in writing by any person, may, if it thinks fit, make an order directing the club to be struck off the register on all or any of the following grounds."

He did not understand that the club was necessarily struck off, but only if the Court thought fit. It seemed to him that the club would remain an existing club against which a charge had been substantiated under that subsection, but which had not been annihilated by a Court of Summary Jurisdiction. This, for instance, might well be the case under sub-clause (*a*) of Section 28 of the Act of 1902 if the number of members had temporarily sunk below twenty-five. Therefore his Amendment was not illusory, but was perfectly workable. That being so he hoped the Committee would adopt it. It was framed in no controversial spirit; on the contrary, its aim was to prevent that and to exempt *bona fide* clubs from coming under this clause in the Bill which harassed bad and bogus clubs. He had tried carefully to frame it so as to draw no distinction between rich and poor clubs. It had the support of the Working Men's Club and Institute Union and every other association of the kind so far as he was aware; and he had not seen or heard any really substantial objection taken to it which would justify its rejection by the Committee. An objection put forward against the Amendment was that it would give rise to certain privileged clubs. That was quite a false impression as he had already shown. If it was the desire of the House not unduly to annoy respectable clubs which had been well conducted, he thought the Committee would best carry out that object by accepting the Amendment which he had now the honour to move.

Amendment proposed—

"In page 18, line 4, at end, to insert the words 'but this provision shall not apply to any club against which no charge has been substantiated on any of the grounds mentioned in Section twenty-eight of the Licensing Act, 1902, and which is managed by a committee periodically elected to whom the secretary of the club is responsible, and which has been established for five years. Provided always that the justices shall in their discretion have power to require any such club to show cause why it should not come under the following provisions of this Act.' "—(*Mr. Evelyn Cecil.*)

Question proposed, "That those words be there inserted."

*MR. HERBERT SAMUEL said that the purpose of the Amendment was governed by the words in the middle of its draft—

"Shall not apply to any club against which no charge has been substantiated on any of the grounds mentioned in Section 28 of the Licensing Act, 1902."

As he understood it, it proposed that the provisions of this part of the Bill should not apply to any club about which a charge brought against it had not been substantiated. That would be to weaken very unduly the power conferred by this part of the Bill on the licensing justices. It would be absurd to say that until a club had been convicted of gross abuses it was not to be liable to the inspection which was to detect the abuses and not to be liable to the annual registration which gave the opportunity for objection to be made. Nor could he conceive that any Court would be justified, having once said that the club was guilty of abuses, in not striking that club off the register; but merely saying that it was to be liable to inspection and to have its registration annually renewed.

MR. EVELYN CECIL said that if a club through accidental circumstances was reduced to twenty-four members, according to the clause it would be struck off the register under Section 28 of the Act of 1902; but supposing the number was increased immediately to twenty-six why should it be struck off the register?

*MR. HERBERT SAMUEL said that there must be some suitable limit and the number fixed by the Act of 1902 was twenty-five. If any club had less members than twenty-five it might be brought before a Court of Summary Jurisdiction and as a matter of fact it would be struck off the register.

MR. AUSTEN CHAMBERLAIN (Worcestershire, E.) said that there was one club of which the hon. Gentleman knew which would not have fallen off the register because it had only twenty-four members.

*MR. HERBERT SAMUEL said the Government did not, of course, know of every case in which clubs were proceeded against before magistrates, but they were not aware of any case in which any charge under Section 28 of the Act of 1902 had been proved against a club, in which the magistrates had not struck it off the register. He could not say that there were no other cases; they had not information on all; but they had a very large number, seventy or eighty a year, in which charges under Section 28 were proved against clubs and the invariable result was that those clubs were struck off the register. It was intended under the Act of 1902 that if a club failed to conform with certain conditions, it should cease to exist. But if, for example, there was frequent drunkenness, or illegal sales of liquor had taken place, the Amendment proposed that the magistrates should have the option of saying that the club might continue, but it must be liable to annual inspection and so forth. A proposal of that kind would take all the substance out of the clause and limit their power to a bare minimum. Such being the case it could not be accepted by the Government.

Sir E. CARSON (Dublin University) did not think the full meaning of this Amendment had yet been sufficiently developed, and he was not at all sure that a very much greater importance had been attached to it than was warranted by the Under-Secretary in the speech which he had just made. The Under-Secretary had said nothing about the words at the end of the proposed subsection—

> "Provided always that the justices shall in their discretion have power to require any such club to show cause why it should not come under the following provisions of this Act."

That left it open to the justices at any time if there was any suspicion whatever as regards the club to summon it to show cause why it should not come within the provisions of the Act. That was the whole distinction between the Bill and the Amendment; his hon. friend said that a club which had hitherto been well conducted and against which there was no black mark in the nature of a conviction under the 28th Section of the Act of 1902, ought not to be asked to come yearly like a public-house before licensing justices at licensing sessions for the purpose of having the whole of its circumstances inquired into at the instance of any person in the neighbourhood who wished for inquiry. What the Amendment proposed was that as long as a club was well conducted it should not have to go through that form, but on the other hand, it allowed the magistrates, if they had any suspicion, or if there had been a conviction under Section 28, to summon the club to show cause why it should not come within the provisions of this Act. He thought the point was a very small one; it was really a matter of the inconvenience and expense with regard to registration, and he should have thought it was well worth considering by the Under-Secretary, whether he ought to put a club which was well conducted and which had nothing against it and which the magistrates did not even suspect, to the trouble of re-registration at all.

*Mr. HERBERT SAMUEL said as he read the proviso it only related to "any such club," that was to say, a club which had already been condemned under the Act of 1902.

Sir E. CARSON said he did not read it that way, although it might be so. He should think not. He thought "any such club" meant a club under the proposed subsection. He did not read it in the way the hon. Gentleman read it, but it could be made perfectly clear by the omission of the word "such." What they put before the Under-Secretary was simply that he ought not to put upon a club the burden of having this unnecessary annual renewal, at an annual licensing session, like a public-house, when there was nothing to complain of in regard to it. So far as he was concerned, the great objection that he had to this part of the Bill was that they were gradually building up as regards clubs exactly the same methods as, in reference to public-houses, had led to a claim to be compensated, in regard to which they had had such difficulties to deal with. What did the Government propose to do? They were going to have an annual licensing session as regards clubs, and to his mind the great mischief of that was, that people would think that as they had got this registration as a kind of title-deed from the Government, it was a monstrous hardship to interfere with them under any circumstances whatsoever. Anybody who had ever practised at licensing sessions, as he had in his younger days, and he thought his hon. friend on the other side had occasionally sat opposite to him there—anybody who had watched and seen the appeals that were made by reason of the moneys expended on the faith of these annual grants, as they were called, must know that a great many difficulties were built up by reason of the increased obligations put upon licensed houses, by virtue of successive Acts passed by Parliament. They were beginning to do exactly the same thing now as regards these clubs, and people would imagine that the moment they got this registration at the annual licensing session they had the same kind of property which had grown up in relation to public-houses. For his own part, he did not believe that any one of these methods that the Government were laying down would have the slightest effect as regards clubs. The stringent provisions of the Act of 1902 entitled a police officer to get a search warrant and go into a club. What had that availed? Absolutely nothing; and he would tell them why in a moment. Clubs had gone on and were going on increasing—and the Prime Minister himself in introducing this Bill drew attention to that — even since the Act of 1902, which had put down a larger number of them than ever before. The increase of clubs had been most remarkable in various places. The truth of the matter was that there was only one way in which they could deal with these clubs, and that was if they were drinking clubs, they must prosecute them for selling drink without a licence. If they were not drinking clubs, they could not interfere with them, and anything they provided about annual registration, or anything else, would weaken the idea of prosecuting them as drinking clubs, because in such cases people would say that there was a licence, and they could not go behind the licence granted to them at the annual licensing sessions. Whereas if a club were occasionally prosecuted, as they always could be if they were drinking clubs, they did not lead people to believe that just because they had got a certificate of registration they could sell drink with impunity in spite of the police. Therefore, so far as he was concerned, he attached very little importance to any of the restrictions which were attempted to be set up by this Bill, and as he believed they would be entirely ineffectual as against clubs which were not *bona fide* he should, on this part of the Bill, endeavour to mitigate inconveniences and impertinences as regards clubs which were really *bona fide* clubs, who ought to have the right to go on and carry out their social arrangements without interference by the police or anybody else.

*MR. HERBERT SAMUEL said that on reading the proviso more carefully he thought the words "any such club" meant clubs against which no charge had been substantiated. The Amendment was, therefore, unacceptable for a different reason from the one he gave, inasmuch as it would cast upon the justices the invidious duty of picking out these clubs and saying to other clubs that their registration need not be annually renewed. It would cast upon the justices the duty which no bench would willingly have placed upon it, of saying which clubs were to come up for annual renewal. Of course, in the case of an ordinary club, in reference to which there was no suspicion, the renewal would be merely formal.

MR. WYNDHAM said the Under-Secretary, in his reply, had confined his consideration largely, if not mainly, to one condition in the argument of his hon. friend, viz., that no objection should have been taken to a club which was managed by a committee periodically elected, to whom the secretary of the club was responsible. There was, however, one matter which deserved attention before he finally made up his mind not to accept the Amendment, and that was, that these clubs must have existed for five years—that was to say that during five years it had been possible for anyone to object to them under the Act of 1902. Any such clubs would not only have been in existence before this Bill came into operation, but before the Act of 1904, so that not one of the clubs as defined in the hon. Member's Amendment could have been erected as a substitute for a public-house. He thought that put them in another category than the clubs which the Government had in mind, viz., clubs where public-houses or drinking shops had previously been carried on.

THE SOLICITOR-GENERAL (Sir S. EVANS, Glamorganshire, Mid.) thought it would be impossible to work this Amendment even if it were accepted by the Government. The right hon. Gentleman had said quite truly that there were three conditions before a club got into the category of the house contemplated by the Amendment. It must, first of all, be a club against which no charge had been substantiated under the Act of 1902, and also a club managed by a committee periodically elected, to whom the secretary of the club was responsible, and it must also have been in existence five years. That, no doubt, restricted the number of clubs to some extent, but he submitted that no reason had been given for making a distinction between these clubs and the other clubs. A club which had been established since 1904 might be just as respectable as any of these. But he thought that in practice in addition to its being invidious to call upon the justices to do it, it would be impossible. How were the justices to know the facts about a particular club to see if it came within this category? Then there was the general objection to making any distinction between club and club in regard to annual registration, and he pointed out in addition to the argument of his hon. friend that neither in the Scottish Act nor in the earlier Act which required registration was there any distinction of this kind.

MR. SEAVERNS (Lambeth, Brixton) asked whether before the Committee went to a division on this question, the Government could give some further information as to the nature of the authority before whom these clubs would appear. It was very material to his decision, because he was one of those who objected most strongly to the licensing justices being that authority. If there was an authority which from his point of view was more satisfactory he would be pleased to support this registration; otherwise he would have to vote against it.

Amendment negatived.

*MR. GRETTON (Rutland) moved to add at the end of subsection (1) the words "except such clubs and places as may be carried on under the King's Regulations by the naval and military forces." This Amendment raised a question which had been one of the difficulties of the Act of 1902. It had been forced upon his notice owing to his connection with the Volunteer force now extinct. Most battalions had a mess, where alcoholic liquors were supplied, which was open when military work was going forward or when military lectures were being given, and it had never been settled as to whether these were not, technically, clubs. These messes were now carried on in accordance with the King's Regulations, and it could not be said that the control was vested in a committee. They were actually under the control of the commanding officer, and the management of the mess was under the control of the treasurer who was appointed from a roster by the commanding officer. These clubs or messes did not comply with the regulations laid down in this Bill, and it was doubtful whether they could comply with the provisions of the Act of 1902. The Amendment raised the whole question of the position of the messes carried on in accordance with the King's Regulations for the naval and military forces, also those established in naval towns for naval officers and men employed ashore. The matter was an important one, and it was desirable that it should be cleared up. He begged to move.

Amendment proposed—

"In page 18, line 4, at end, to insert the words 'except such clubs and messes as may be carried on under the King's Regulations for the naval and military forces.'"—(*Mr. Gretton.*)

Question proposed, "That those words be there inserted."

SIR S. EVANS said the hon. Member was perfectly within his rights in handing in this manuscript Amendment, but the Government would certainly have liked a little more notice with regard to a matter which the hon. Gentleman himself admitted was rather technical. They did not make in this Bill any alteration as to the kind of club that was to be on the register. All they sought to provide was that there should be annual registration of the clubs which were required to be registered under the Act of 1902. Those clubs which were not required to be registered under that Act did not require to be registered under this Bill. There was no exception of these messes under the Act of 1902 or the Irish and Scottish Acts of 1903 and 1904. The probability was that they were not "clubs" at all within the meaning of Section 24 of the Act of 1904. He was afraid he could not agree to this exception now raised for the first time.

Sir E. CARSON agreed that the new Act did not make any difference with regard to the class of clubs to be registered. All it did was to substitute an annual registration before the licensing justices before whom any fanatic might appear and object to the whole of the clubs. He also agreed that there was no exception in the Act of 1902. He did not know what difference the Territorial Act might make, but it might be worth while to consider, when these elaborate provisions were being made, whether it would not be well to make this exception and exempt these messes from the operations of the Bill and the Act of 1902. There was a precedent for that, because if the hon. and learned Gentleman would look at the Act of 1902 he would see that naval and military canteens did not require a licence, so that there was already an exception made in regard to naval and military canteens.

Sir SAMUEL SCOTT (Marylebone, W.) did not think the hon. and learned Solicitor-General quite appreciated the conditions under which military training took place. The Yeomanry, for instance, went out for annual training for a fortnight. Was the officers' mess which was carried on during the time of the annual training to be registered as a club? He urged the Government, if they could not accept the Amendment now, to consider the technical difficulties and on the Report stage do something to meet the points which had been raised.

Earl WINTERTON desired to ask, speaking as a member of a Territorial Association, and as a yeoman of some years standing, whether a meeting of the sergeants or non-commissioned officers of a company in the Territorial Forces, held one night a week in a room in the drill hall, would come under the description of a naval and military canteen? Some hon. Members seemed inclined to jeer, but it was rather an important question affecting a large number of naval and military clubs and might, he admitted, require some time to study. Would such a club meeting in a room which was the property of the Territorial Association come under the provisions of the Act of 1902? If they would, he ventured to think the law should be altered. Under the Territorial Army Act the whole of the Territorial Army was made directly responsible to the Territorial Association and the War Office. If they proceeded on the same lines with regard to the Territorial Army as with regard to the Regular Army, the commanding officer would be directly responsible for every thing that took place in his regiment; and it would be illogical to insist upon a club within a regiment going and asking the licensing justices to register them. The matter should be purely in the discretion of the commanding officer. It would be unfortunate if they made a distinction between a club in the Regular Army and one in the Territorial Army. He therefore wished to ask whether or not the clubs of the Territorial Army would come under the law as it stood.

Mr. LYTTELTON (St. George's, Hanover Square) said this matter required a little more consideration than had been given to it, though he did not say anything at all against the Government on that account, because the Amendment had been brought before them suddenly. By Section 28 of the Act of 1902, subsection (*a*), it was made an offence for a club to have less than twenty-five members. Probably the Solicitor-General would not agree with that description, but at any rate, it was a ground for striking it off the register. He would further point out to the hon. and learned Gentleman, though he had not a wide knowledge of regimental matters, that few messes contained twenty-five members or had a secretary. He thought that many of the provisions of the Act of 1902 were entirely inappropriate to military and naval clubs. It would be ridiculous for a mess to be brought forward every year at the meeting of the licensing justices, and that these clubs for social purposes should be made illegal because they had no secretary or because they had not a membership of twenty-five. These observations would be still more applicable to the Yeomanry, who only met for training once a year. He pressed the Government not to commit themselves on this subject, but to consider the omission of these bodies on the Report stage.

MR. WYNDHAM said the Secretary of State for War considered the Territorial Force to be the second line of the Regular Army. All the members of these messes received a messing allowance—that was to say, the Crown was giving a sum of money per head as messing allowance to every one of the members of these messes. He wished to know whether the discretion of the Crown in regard to these messes was to be brought up year by year before a bench of licensing justices.

SIR S. EVANS said he did not pretend to be an authority upon military matters. It was one of the concerns on which he gave up his functions to the Secretary for War. On the legal question, he did not think there was really any difficulty. He should doubt very much, from the description he had heard of the places where the messes were held, whether they would require registration under the Act of 1902. He was quite willing to make inquiry into the matter, and he would trouble his guide, philosopher, and friend the Secretary for War in that part of his military duties. As to the general question he could only say, with reference to the limit of membership to twenty-five, that it was not necessary and he did not think the Under-Secretary had said so. The provision in Section 28 of the Act of 1902 only meant that if a club had gone down in membership, if there was a number remaining of members of the club not coming up to twenty-five, the justices could take that into consideration in connection with other circumstances attaching to the club, in arriving at their decision. He did not think there was any difficulty, but he would go into the question and give further information.

MR. A. J. BALFOUR said they were very much obliged to the hon. and learned Gentleman for his offer of information. There was a question of policy and a question of interpretation of the law. On the latter question he agreed that the hon. and learned Gentleman must have time to consider this rather difficult point. They recognised that the Treasury Bench did not possess that gift of rapid interpretation of Amendments not put down on the Paper which was expected from the Opposition. Therefore, on the question of interpretation, they were all in favour of giving the hon. and learned Gentleman time to consider. But on the question of policy he would like to know now what was the intention of the Government. Supposing these messes proved to be technically clubs, would the Government so alter the Act of 1902 that they could no longer be treated technically as clubs? At any rate, it was a mistake. No human being ever wanted to turn messes into clubs, and he was sure it would be a wrong policy to do so. All he asked the hon. and learned Gentleman to do was to inquire whether messes were technically clubs, and if they were, to bring up an Amendment on Report to correct what was evidently a legislative error, now that they were revising that legislation.

SIR S. EVANS did not think he could give a pledge to alter the *status* of clubs as required for registration under the Act of 1902. The Government had adopted that Act, which required not only registration but "annual renewal thereof."

*MR. GRETTON failed to understand why the Government should not look into this question, which really went further and presented greater difficulties than the Solicitor-General seemed to think. He apologised for having put down the Amendment in manuscript, but in the circumstances he thought he must ask his hon. friends to go into the division lobby with him. Before doing so, he would point out there were two problems involved in this question of military messes and clubs. There was the problem as to the battalion or unit, or whatever it might be, when embodied and under canvas. Clearly under such circumstances no question of a club could arise. But there was the other circumstance, that there was usually a club for the men and sometimes also for officers in connection with a Territorial battalion. Under the Territorial Forces Act, and under military law, there was the case of non-commissioned officers belonging to the battalion who were accustomed to meet in a building which might come under the definition of a club under the Act of 1902, and for safety, under that Act, they had been careful, acting on the advice of counsel, to have such buildings registered as clubs. The annual registration could not, he thought, be carried out in accordance with the Bill before the Committee. Those clubs, being under military law, could not comply with the provisions for registration. The case must be very carefully gone into and the Solicitor-General should give a pledge that it would be considered.

SIR S. EVANS: That is what I did. [Cries of "No."] If I did give a pledge, I repeat it; if I did not, I now give it.

SIR E. CARSON said they all thought that the hon. and learned Gentleman had given a pledge, but when his right hon. friend had asked for a declaration on the matter of policy, viz., as to whether these naval and military clubs and messes were to be excluded, he said he would not exclude them.

SIR S. EVANS: No.

SIR E. CARSON: The hon. and learned Gentleman said he could not exclude them; but he might be wrong in that, and he wished to know whether or not what he had said was right or wrong. What he understood was that the Solicitor-General was to make legal research as to whether these messes were within the Act of 1902 or not, and whether, if they were, he could alter the law. It was a very important matter as to whether these messes of the Army and Navy were to be carried on under King's Regulations. It was important for the House to consider and to have it declared specifically whether these clubs were to come under all the various terms which they were now enacting as regards ordinary clubs. Were they to understand that the pledge was that the policy and not merely the law would be considered?

THE FIRST LORD OF THE ADMIRALTY (Mr. MCKENNA, Monmouthshire, N.) said the Government would approach the question of policy with a perfectly open mind. His hon. friend had given a pledge to consider the law and get to the bottom of the question as to whether these messes were or were not included in the definition in the Act of 1902. Should it be found that they were included the Government would approach the question with a perfectly open mind and consider the desirability of excluding them from the definition of clubs. The Committee, however, must understand that they were now using a word which had no precise meaning, and it would be perfectly impossible for the Government to give a pledge that anything which called itself a mess would be excluded. They would consider whether a definition could be properly found which would exclude combinations which were now termed "messes" which ought to be excluded from the Act of 1902, and if a solution was possible to be found they would find it. It would be improper so long as the term "mess" was undefined, for the Government to give a pledge and say that all messes should be excluded hereafter from the definition of clubs.

*MR. RUPERT GUINNESS (Shoreditch, Haggerston) wished to remind the First Lord of the Naval Volunteer Reserve and to ask that it should share in any privileges which were granted to the Territorial Forces.

MR. AUSTEN CHAMBERLAIN pressed the Government in no unfriendly spirit to go a little further than they had done. It was perfectly natural that they should require time either to ascertain the exact condition of the law now or to ascertain the exact form of words which might make the law what they desired to see it. Surely it was not unreasonable to ask them, before parting with the Amendment, to give a definite pledge that the messes in clubs carried on under the King's Regulations—not anything which called itself a mess, as the First Lord of the Admiralty said—should be excluded from these restrictions and conditions which were never intended to apply to them. Unless the Government would give them that assurance and say that if they found they were not already excluded they would take steps on the Report stage to exclude them, he hoped his hon. friend would go to a division, and they, at any rate, would assert their view that, whatever the law was, they were never intended to be included and ought not to be included.

Question put.

The Committee divided :—Ayes, 101; Noes, 257. (Division List No. 326.)

AYES.

Agnew, George William
Anson, Sir William Reynell
Anstruther-Gray, Major
Arkwright, John Stanhope
Armitage, R.
Aubrey-Fletcher, Rt. Hn. Sir H
Balcarres, Lord
Balfour, Rt Hn. A. J. (City Lond.)
Banbury, Sir Frederick George.
Banner, John S. Harmood-
Baring, Capt. Hn. G (Winchester
Barrie, H. T. (Londonderry, N.)
Beach, Hn. Michael Hugh Hicks
Beck, A. Cecil
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Campbell, Rt. Hn. J. H. M.
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Chamberlain, Rt Hn. J. A. (Worc
Clive, Percy Archer
Collings, Rt. Hn. J. (Birmingh'm
Courthope, G. Loyd
Craik, Sir Henry
Cross, Alexander
Du Cros, Arthur Philip
Duncan, Robert (Lanark, Govan
Dunne, Major E. Martin (Walsall
Faber, George Denison (York)
Faber, Capt. W. V. (Hants, W.)
Fell, Arthur
Fletcher, J. S.
Freeman-Thomas, Freeman
Gibbs, G. A. (Bristol, West)
Gooch, Henry Cubitt (Peckham)
Goulding, Edward Alfred
Gretton, John
Guinness, Hn. R. (Haggerston)
Guinness, W. E. (Bury S. Edm.)
Hardy, Laurence (Kent, Ashf'rd)
Harrison-Broadley, H. B.
Helmsley, Viscount
Hill, Sir Clement
Hills, J. W.
Hope, James Fitzalan (Sheffield)
Houston, Robert Paterson
Joynson-Hicks, William
Keswick, William
Kimber, Sir Henry
King, Sir Henry Seymour (Hull)
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Lockwood, Rt. Hn. Lt.-Col. A. R
Long, Col. Charles W. (Evesham)
Lyttelton, Rt, Hon. Alfred
MacCaw, William J. MacGeagh
Marks, H. H. (Kent)
Mason, James F. (Windsor)
Meysey-Thompson, E. C.
Morpeth, Viscount
Morrison-Bell, Captain
Napier, T. B.
Nicholson, Wm. G. (Petersfield)
Parker, Sir Gilbert (Gravesend)
Ratcliff, Major R. F.
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Roberts, S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Rose, Charles Day
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Stanier, Beville
Stanley, Hn. A. Lyulph (Chesh.)
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.)
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Talbot, Rt. Hn. J. G. (Oxf'd Univ.
Thomson, W. Mitchell- (Lanark)
Thornton, Pery M.
Walker, Col. W. H. (Lancashire
Walrond, Hon. Lionel
Warde, Col. C. E. (Kent, Mid)
Watt, Henry A.
Whitbread, Howard
White, Patrick (Meath, North)
Willoughby de Eresby, Lord
Winterton, Earl
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE AYES—Sir Alexander Acland-Hood and Viscount Valentia.

NOES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Agar-Robartes, Hon. T. C. R.
Ainsworth, John Stirling
Alden, Percy
Allen, Charles P. (Stroud)
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Asquith, Rt. Hn. Herbert Henry
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Bell, Richard
Benn, Sir J. Williams (Devonp'rt
Benn, W. (T'w'r Hamlets, S. Geo.
Bethell, Sir J. H. (Essex, Romf'rd
Birrell, Rt. Hon. Augustine
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Branch, James
Brigg, John
Brocklehurst, W. B.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Bryce, J. Annan
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Cawley, Sir Frederick
Channing, Sir Francis Allston
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W
Compton-Rickett, Sir J.
Corbett, C H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Crooks, William
Crosfield, A. H.
Crossley, William J.
Curran, Peter Francis
Davies, David (Montgomery Co)
Davies, Sir W. Howell (Bristol, S)
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras, N)
Dilke, Rt. Hon. Sir Charles
Dobson, Thomas W.
Donelan, Captain A.
Duckworth, James
Duncan, C (Barrow-in-Furness)
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Edwards, Enoch (Hanley)
Edwards, Sir Francis (Radnor)
Ellis, Rt. Hon. John Edward
Erskine, David C.
Essex, R. W.
Esslemont, George Birnie
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferguson, R. C. Munro
Findlay, Alexander
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)

Gill, A. H.
Glen-Coats, Sir T. (Renfrew, W.
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Gulland, John W.
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardie, J. Keir (Merthyr Tydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r.)
Harvey, A. G. C. (Rochdale)
Harvey, W. E. (Derbyshire, N.E.
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Helme, Norval Watson
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.)
Herbert, Col. Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Holt, Richard Durning
Hope, W. Bateman (Somerset, N)
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Jacoby, Sir James Alfred
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Sir D. Brynmor (Swansea)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire)
Jowett, F. W.
Kearley, Sir Hudson E.
Kelley, George D.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lambert, George
Lamont, Norman
Lever, A. Levy (Essex, Harwich
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lupton, Arnold
Luttrell, Hugh Fownes
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk B'ghs)
Maclean, Donald
Macnamara, Dr. Thomas J.
M'Callum, John M.
M'Kenna, Rt. Hon. Reginald
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Mallet, Charles E.
Manfield, Harry (Northants)
Markham, Arthur Basil
Marks, G. Croydon (Launceston)
Marnham, F. J.
Massie, J.
Masterman, C. F. G.
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Money, L. G. Chiozza
Morton, Alpheus Cleophas
Murray, Capt Hn. A. C. (Kincard.
Myer, Horatio
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Nicholson, Charles N. (Doncast'r
Norton, Capt. Cecil William
Nugent, Sir Walter Richard
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
O'Grady, J.
Parker, James (Halifax)
Partington, Oswald
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Perks, Sir Robert William
Philipps, Col. Ivor (S'thampton)
Pickersgill, Edward Hare
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Price, C. E. (Edinb'gh, Central)
Price, Sir Robert J. (Norfolk, E.)
Priestley, W. E. B. (Bradford, E)
Radford, G. H.
Rainy, A. Rolland
Rea, Walter Russell (Scarboro'
Richards, Thomas (W. Monm'th)
Richards, T. F. (Wolverh'mpt'n)
Richardson, A.
Ridsdale. E. A.
Roberts, G. H. (Norwich)
Robertson, Sir G. Scott (Bradfrd.
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rogers, F. E. Newman
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Schwann, C. Duncan (Hyde)
Schwann, Sir C. E. (Manchester)
Scott, A. H. (Ashton-under-Lyne
Seaverns, J. H.
Seddon, J.
Seely, Colonel
Shackleton, David James
Shaw, Charles Edw. (Stafford)
Shaw, Rt. Hon. T. (Hawick B.
Sherwell, Arthur James
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Steadman, W. C.
Stewart, Halley (Greenock)
Strachey, Sir Edward
Stuart, James (Sunderland)
Summerbell, T.
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Tennant, Sir Edward (Salisbury
Tennant, H. J. (Berwickshire)
Thomas, Abel (Carmarthen, E.)
Thomas, Sir A. (Glamorgan, E.)
Thomasson, Franklin
Thompson, J W. H. (Somerset, E.
Thorne, G. R. (Wolverhampton)
Thorne, William (West Ham)
Torrance, Sir A. M.
Trevelyan, Charles Philips
Verney, F. W.
Walker, H. De R. (Leicester)
Walsh, Stephen
Walton, Joseph
Wardle, George J.
Wason, Rt. Hn. E (Clackmannan
Wason, John Cathcart (Orkney)
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker, Rt Hn. Sir Thomas P
Wiles, Thomas
Wilkie, Alexander
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J. (York, W. R.)
Wilson, John (Durham, Mid)
Wilson, J. W. (Worcestersh. N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon

TELLERS FOR THE NOES—Mr. Joseph Pease and Master of Elibank.

MR. HART-DAVIES moved to leave out "licensing justices" and insert "local stipendiary magistrate or local Court of Summary Jurisdiction." He said that he was inclined to think from something which had fallen from the Prime Minister earlier in the afternoon that the Government were prepared to meet this point by accepting his Amendment. He did not mean to insinuate that the licensing justices would act with partiality, but those interested in clubs felt that these proposals contained very serious restrictions which ought to be decided in a strictly judicial way. Licensing justices were not always appointed on account of their knowledge of the law. He had known instances where their knowledge of the law was rather bad. Consequently the clubs felt that this was a matter of paramount importance; they desired the matter to be decided on strictly legal grounds and they did not feel confident that they would obtain such a decision at the hands of the licensing justices. They considered that under this proposal there would be a danger of a certain amount of prejudice on the part of the licensing justices. Under the present system justices were appointed a good deal on political grounds, and a very large number of workmen's clubs were political clubs. Consequently those interested in clubs felt that, insensibly perhaps, the licensing justices might be influenced by their political prejudices and views, and be apt not to take a fair view of the position of the club brought before them. Consequently they felt that the matter ought to be settled on strictly judicial lines, as they were not sure of getting such an absolutely clear and legal decision at the hands of the licensing justices as at the hands of stipendiary magistrates. In London the Court would be presided over by the local stipendiary magistrate in whom they had every confidence, but in the country it would be the justices. There was a difference between the justices sitting as licensing magistrates and sitting at petty sessions, because at the latter Court they were supposed to be governed by the laws of evidence and people had a much fairer show if they came up before petty sessions than if they were tried before the licensing justices. He hoped the Government would regard this Amendment favourably; if they did it would carry very great weight. He thought his Amendment would strengthen the Bill and also the hands of the Government in dealing with this question.

Amendment proposed—

"In page 18, line 7, to leave out the words 'licensing justices,' and to insert the words 'local stipendiary magistrate or local Court of Summary Jurisdiction.'"—(*Mr. Hart-Davies.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

Mr. Hart-Davies.

*MR. BARNES (Glasgow, Blackfriars) said he supported the Amendment, and he did so with the concurrence of the Club and Institute Association and all his colleagues. What they had to bear in mind was not only the absence of legal knowledge on the licensing bench, but there was also a fear that the decisions of the licensing justices were not always in accordance with the requirements of the situation. In many cases the licensing justices were guided more or less by pressure of local prejudice or financial interest. The fear the club authorities had in their minds was that the licensing justices, having little or no knowledge of law, and being unaccustomed to the sifting of evidence, were more or less guided by local prejudice on the one side or financial interest on the other. The licensing justices were sometimes "got at" by the teetotal advocates in a particular district, and by the public-house interest in other districts, and consequently they were not in a position to give an unbiassed opinion. This particular Amendment brought up the whole question of the attitude of the Committee with regard to clubs and public-houses. On the Labour benches they were not at all afraid of the multiplication of clubs. They thought that the public-house was not a desirable place. Even the Leader of the Opposition thought that some of the public-houses had become more or less intolerable places. Having regard to all the circumstances he thought public-houses would have to remain in that unsatisfactory condition. He heard the right hon. Gentleman on the front Opposition bench speak of public-houses as being on the whole very nice places. Some of them in the country where he used to live were, and in his younger cycling days he had spent many happy hours in country inns over his bread and cheese and beer. The right hon. Gentleman appeared to imagine there were such places still. Perhaps there were, but they were not in the populous places. He would like to take the right hon. Gentleman to some of the public-houses in the Walworth Road or in Whitechapel on a Saturday night, and he would very soon alter his opinion as to the character of some public-houses. That was a very regrettable state of things, but he considered it was inevitable as long as public-houses were carried on exclusively for profit. Everything was subordinated to the selling of liquor. There was no artistic decoration, little cleanliness, or order except that imposed by the public authority. The publican himself had ceased to be anything but an agent of a monopolist brewer or distiller, and had but one object, namely, the making of profit for his employer by the sale of alcohol. For those reasons he and his friends believed in the policy of the Government in the way of limiting the number of those places because they believed the public-houses were bad, and that they must remain so until they were fundamentally altered in character. The way they desired to have public-houses altered was by the elimination of the element of profit altogether, and making them places where those who kept them would have nothing to serve but the public interest, and the Labour Party knew that neither the Government nor the regular Opposition favoured that policy yet.

THE CHAIRMAN: Order, order. The hon. Member is getting very wide of the question before the Committee.

*MR. BARNES said he was trying to make his point that the whole thing hinged upon this Amendment as to whether it was desirable to encourage clubs or not. He thought it was desirable to encourage clubs, and therefore it was not desirable to put any restrictions in the way of clubs increasing in number. Under the Bill as it was framed there was an element of uncertainty, because clubs in one place might be dealt with on one principle where the licensing justices were made up of teetotallers, and in another on quite another principle, when the licensing justices were made up of a different set of men altogether. In that respect they thought the Bill was unsatisfactory, and they wished to amend it in the manner suggested because they thought under this Amendment the club people would have the assurance that their application would be made to those who had had a legal training, and were accustomed to sifting evidence, and consequently would be more likely to deal more justly with their application. Briefly, those were the grounds on which they supported this Amendment. They wished the Amendment to be passed, because they believed that sobriety, order, and the taste of the people would be improved by the substitution of clubs for social intercourse, and healthy, stimulating enjoyment in the place of public-houses for the sale of liquor alone.

MR. A. J. BALFOUR said that everybody who had listened to the speech of the hon. Member who had last spoken would agree that it was full of instruction to those who had been following the course of the Bill. He avowed that his desire was not to diminish the number of places where alcohol could be sold, or the facilities with which it could be sold, but only to substitute clubs where there was no public supervision for public-houses where there was. That general policy was consistent neither with the speeches by which the Bill had been defended by its authors and supporters nor with the support which hon. Gentlemen below the gangway had given to it.

MR. BARNES thought what he had said was perfectly consistent, if the right hon. Gentleman would remember that they had Amendments later on the Paper and were going to support others for the prevention of the abuse of clubs.

MR. A. J. BALFOUR appreciated the hon. Gentleman's position, and in a certain sense he had some sympathy with him. As this discussion went on he was more and more convinced that the House was on the wrong tack in its endeavour to make the place where the population could only get alcoholic liquor intolerably inconvenient in point of accommodation and absolutely divorced from every other form of entertainment which could be obtained in clubs. Therefore in that sense he had considerable sympathy with the hon. Gentleman. Then the hon. Gentleman told them that he greatly desired this Amendment because they could trust the stipendiary magistrate, but not the licensing magistrates; that the licensing justices were gentlemen liable to have their judgments perverted either by the desire to placate the public-householder on the one side or the teetotal faddist on the other. That, he thought, was the view of the hon. Gentleman. If that was an accurate account of the licensing justices, how on earth could the hon. Gentleman support a Bill which handed over such an enormous amount of the property of licence-holders to their unfettered control? He confessed he was puzzled beyond measure at the combination of enthusiastic support of His Majesty's Government which the hon. Gentleman had shown by his votes and the very chill approval of the Government principles which he had shown by his speech. He did not at all deny that the hon. Gentleman's position might be consistent; he might have a general coherent view of the whole problem of selling liquor in the country which might be held consistently with the support of the Bill. What was that view? It was that they should substitute in every case a club for a public-house—that every citizen of this country whom they deprived of the power of going to a public-house should have in exchange the right of going to a club. That was the hon. Gentleman's idea, and it might be a good idea, but it was wholly inconsistent with the idea that they ought to deal with the liquor trade of this country, and with the sale of liquor, in all particulars so that those who would be inclined to exceed the measure of sobriety should be precluded from so doing, and that they should be supported and assisted in their refusal to yield to temptation by policemen on the one side and by magistrates on the other. Very likely there might be something to be said for this Amendment. He did not know in the least what course the Government would take, but he did not think the speech of the hon. Gentleman should be allowed to pass without pointing out the extraordinary light it threw on the general attitude of those who said that they specially represented working men, and who, he believed, did represent working men in their clear determination that, whether in the public-house or out of the public-house, they were not to be deprived of the right which every other class of the community enjoyed, and of which he agreed it would be a monstrous thing to deprive them.

*MR. VERNEY (Buckinghamshire, N.) said the very existence of a club when this Bill became law would depend on registration, and that was what made the clause now before the Committee very important. He entirely endorsed what was said by the hon. Member for the Blackfriars division that those who represented clubs were all asking the Government to give clubs in this matter a Court which they would respect and willingly obey. Clubs and public-houses were to be distinguished, and particularly in this respect. The licensing justices had an entirely different duty to perform from that of deciding whether a club was to be registered, or whether the registration was to be renewed. The licensing justices, he understood, had to decide only whether a public-house was necessary in a particular district, or whether the holder of a licence had committed any breach of the law or of the conditions imposed by the licence. Important as that duty was, it was entirely different from that which would be performed by the Court which had to decide whether a club was to be registered or not, or whether the registration was to be renewed. He asked that the House should consider whether there could not be supplied from the beginning such a tribunal as would be regularly and willingly obeyed by the members of clubs. There was nothing so good in a community as a good club, and nothing such an intolerable curse as a bad club. If a working man got drunk in a club, he was a traitor to his class and to his club, because he brought down a penalty on many who were perfectly innocent, for only a small percentage of drunkenness in a club was sufficient to condemn it as an evil in the community. He had known excellent clubs which had done much to further the cause of temperance, and they would continue to do so if they were left alone. On the other hand, he had known clubs which had really become a regular curse in the district to which they belonged, not because a majority of the members were misbehaving themselves, but because a small minority dragged down the character of the club. What really determined the character of a club? There were two or three points of vital importance. There should be an excellent manager and there should also be a first rate committee.

*THE CHAIRMAN: The hon. Member is really going far beyond the scope of the Amendment before the Committee.

*MR. VERNEY said his main point was that the licensing justices were for many reasons not the best tribunal to deal with the question of club registration. Some months ago a Conference was held in a Committee-room of the House at which members of clubs from many parts of the country appeared. They included the representatives of a political club in process of formation in a village in Surrey. A deputy stated that it was proposed to establish a Radical club in that village, and that in Surrey the licensing justices were all Conservatives. In that particular instance they could not expect for entirely impartial treatment in a matter which ought to be considered purely judicially. He was not saying that that was the general case. He was ready to admit that there were many magistrates who would do their best to decide on purely judicial lines, but at the same time, in view of exceptions such as he had stated, it was surely well to avoid even the shadow of partiality by providing a tribunal which would be free from any kind of political or other bias which might interfere with purely judicial action.

MR. LAMBTON (Durham, S.E.) said he would like to put a question to the hon. Member for the Blackfriars division of Glasgow, who had said that the licensing justices were generally actuated by prejudice or a desire for profit.

*MR. BARNES: No, Sir. I carefully guarded myself against saying anything of the kind. I said that those responsible for the management of clubs had that fear in their minds.

MR. LAMBTON said the hon. Gentleman expressed their feeling, evidently thinking that there was some foundation for it. He would like to ask the hon. Member why he did not vote for the Amendment of Clause 20 which gave to the licensing justices the fullest power to decide upon the property of other people, and upon the conditions to be attached to every public-house, subject to no appeal except to the Commissioners appointed under this Bill. If they were not fit to undertake the duty of registering clubs, then he said that the hon. Member, who had supported clauses giving them more important duties, had no right to take part in this discussion.

MR. H. J. WILSON (Yorkshire, W.R., Holmfirth) said he wished to state his experience in Sheffield, where he lived. The Court of Summary Jurisdiction consisted of two magistrates who might be the youngest, least experienced, and most prejudiced. On the other hand, the licensing magistrates were selected from a large number, presumably because of their experience. How did clubs expect to gain by the transfer of jurisdiction from seven selected men to two non-selected men? He was wholly unable to understand what clubs would gain by the transfer.

MR. PICKERSGILL (Bethnal Green, S.W.) said, in reply to the question asked by the previous speaker, that there was a totally different atmosphere in the two Courts. Petty sessions was a Court which had the feelings and traditions of a Court of justice, and for that reason the supporters of the Amendment asked that questions of this kind should be decided by a judicial tribunal. He did not want to throw any reflection on the way in which the licensing justices performed their duties. But the duties in question were not ordinary licensing duties. They were questions as to whether or not a particular state of facts existed—questions of evidence—and questions of evidence ought to be decided by a Court of justice. The Solicitor-General had put down an Amendment that the evidence should be taken on oath. Although that Amendment was good so far as it went, it was not sufficient, because it did not alter the character of the tribunal by which the evidence was to be heard. Further, the tribunal was to decide whether or not the proposed club was mainly a drinking club. That in itself did not seem to him to be a satisfactory definition. It was vague, and there would be grave danger to an apparently well-conducted workmen's club if that definition was to be adjudicated upon by a tribunal which was not a Court of law.

The Government had attached great weight to the Peel Report. That Report stated that registration ought only to be refused on certain grounds after trial before a properly constituted judicial authority to which no suspicion of partiality or bias could attach. This was no question of administration or of knowing the wants of the public, and therefore the Commission did not think it should be done before the ordinary licensing authority. The authority suggested in the Report was the Recorder, or the County Court Judge, or, in Scotland, the Sheriff. The Commission recommended in fact that questions of this kind should be decided by the ordinary judicial tribunal. He asked the hon. Gentleman to give a favourable consideration to this Amendment, which had a very large body of support on that side of the House. They wanted to carry with them well-conducted and respectable clubs. That opinion had been expressed more than once on both sides of the House. And here the Government had a great opportunity for carrying this proposition into practical effect. It was notorious that the most respectable and well-conducted clubs had the strongest repugnance to come for registration before the licensing justices. He thought that that repugnance on their part ought to be respected if it could be consistently with the object of the Bill. He submitted that all the objects desired could be attained by altering the tribunal; and if altered they would also succeed in carrying with them the sympathy and support of well-conducted clubs.

Mr. RUFUS ISAACS (Reading) said he endorsed the appeal which had been made to the Government to accept this Amendment. One thing which struck him very forcibly and which he recommended to the consideration of the Committee, was that they had experience to guide them and that they ought not lightly to change a tribunal which up to the present time had given satisfaction. By the Act of 1902, which they were now extending, there was power given to deal with such matters to a Court of Summary Jurisdicton. Why should they change that Court now and go out of their way to give the licensing justices, sitting as licensing justices, the power which was taken out of the hands of a Court of Summary Jurisdiction? In a Court of Summary Jurisdiction there was no difficulty, because there they had evidence taken on oath. The Act of 1902 had really worked well so far as cases which had been brought before that Court were concerned, and why should they change the Court which had been well tried and had given satisfaction hitherto in dealing with matters of this description? He asked the Government to accept the Amendment, which really involved no question of principle; it was only a matter of detail. In view of the fact that there was a general feeling amongst those concerned that they preferred to go to the Court which they knew to going to a Court they which did not know so well, he asked the Prime Minister to accede to what he believed to be the general wish.

Mr. ASQUITH said that the hon. and learned Member had stated quite truly that there was no question of principle in this matter which they were now discussing. It was merely a matter of machinery and they were bound to regard it with a perfectly open mind. The only question in dealing with machinery was which would be the most efficient for the purpose and least objectionable to those interested and whose susceptibilities they all desired to respect. The hon. and learned Gentleman said that the jurisdiction was very much extended under this Bill as compared with that under the Act of 1902. The licensing justices were selected for the purposes of this clause because of the simplicity and uniformity of the procedure in dealing with matters of that kind; and to meet the objection, which he thought was a solid one, that the licensing justices as such were an administrative body, the Solicitor-General had put down an Amendment on the Paper which empowered the licensing justices to receive evidence upon oath and to grant costs. That the Government thought would have sufficiently met the objection that the proceedings should not be otherwise than of a judicial nature or subject to judicial procedure. He confessed that, upon the whole, he was very much impressed by the arguments used from all quarters of the House, and he was disposed to accept the Amendment of his hon. friend—of course in its proper form, for he did not think it was in proper form as it stood and would have to be re-cast. He did so without subscribing in any way to any reflection, expressed or implied, upon the capacity and conduct of the licensing justices, nor in accepting the Amendment was he endorsing the commentory of the hon. Member for Durham on the speech of the hon. Member for Glasgow. The acceptance of the Amendment did not cast any slur or reflection on the licensing justices as to the way in which they had discharged their duties. Licensing justices in this country exercised an administrative function, in a judicial spirit and temper, of course, and he thought there was some solid and substantial ground in the contention that night that the functions they were about to entrust to them in regard to clubs were more of a judicial than administrative character, and therefore were more fit to be given to a body which would act in accordance with the ordinary laws of evidence. On the whole, he was disposed to accept the Amendment.

MR. MARKHAM (Nottinghamshire, Mansfield) said he greatly regretted the decision come to by the Prime Minister. The licensing magistrates for many years had done their duty well, and he maintained that the Amendment was a reflection upon them. They had placed in the hands of the licensing justices the whole complicated machinery with regard to licensed premises where large interests and thousands of pounds were involved; but now they were going to tell 900,000 members of clubs that the licensing justices were not fit and proper people to deal with the question of clubs. The licensing justices throughout the country had made a particular study of this question, but the proposal was to remove from their review and decision all matters relating to the registration of clubs, because it was said that there might be in the minds of some people a fear that they did not act fairly and justly. That was a slur which ought not to be cast on the licensing justices as a whole. Licensing justices had done more for society in seeing that clubs were properly registered than in any other work they had done. They had taken every possible step under the Acts of 1902, 1903, and 1904 to regulate clubs, but notwithstanding they had become the curse of whole districts, of the working-man and of the community generally. In the division which he represented club after club containing 2,000 registered members was struck off the register simply because gambling and betting was a constant occurrence in them. They were, however, going to say that the licensing justices were not fit and proper persons to carry out these provisions. The Majority Report of the Commission recommended that three magistrates should have authority to deal with this question of clubs, but in point of fact the Government had not accepted one single recommendation, either of the Minority or of the Majority Report, in regard to clubs and the conditions of registration. Why had they not been accepted by the Government? The object of the Bill he understood to be to lessen the facilities for drink. The hon. Member for Glasgow had told them that he wished to see clubs spring up so long as they were a convenience to the working-man, but his object as a temperance reformer was to diminish the facilities for drink. But this Bill, instead of diminishing those facilities, gave facilities for people getting drink all night. It was simply a question of votes and nothing else. The Prime Minister talked about cant, but listening to the debates and the bidding for the brewer's vote on the one side, and for the club votes on the other, he did not know where to find honesty in public life.

SIR HENRY KIMBER (Wandsworth) supported the Amendment. He did not cast any reflection upon the licensing authority, but there was a fear, well or ill-founded, on the part of members of clubs throughout the country that the licensing magistrates in the administrative duty of dealing with licences were not actuated by judicial instincts, and that their mode of proceeding was not that of a judicial tribunal. They imagined that the whole question of whether a licence should be granted or not, or renewed or not, was left to them as a judge and jury to be disposed of according to their own sweet will, and that they were not bound by the rules or the laws of evidence, or by questions as to the admissibility of evidence. There was this particular reason for this Amendment, that the particular act that they were now discussing, and which was to be referred to this tribunal, was one of a penal character. It was a question of cancelling a licence which was in the previous year granted to a man justly and rightly, and it was proposed that somebody or other—that anybody from anywhere—could make a complaint, whether it was well founded, or right or not, and urge it against the renewal of the licence before the licensing justices. That was a *quasi*-criminal charge which ought certainly to go before a legal tribunal, and one which would be guided by the rules of law and of strict evidence. He believed that this was one of the Amendments which was proposed by a highly respectable body, the Club and Institute Union, in which were represented most of the clubs of the Kingdom. He thought nothing could be said about their respectability, nor the reasonableness of their claims. They did not wish to establish drinking clubs, as they considered them their worst enemies. In his division he had half a dozen large clubs which had existed for many years, and what they said was this: "We wish to obey the law; we do not wish to turn our clubs into public-houses, and if the attempt is to be made by anybody outside to take away our right to existence, then we should prefer to go before a legal tribunal. We will abide by the law, and we will be judged by the law." But they said: "Do not put us in the hands or in the power of the licensing justices." They said they knew that in the selection of the licensing bench discrimination was made against brewers and others interested in the liquor interest, but it had always been a matter of complaint by many working-men's clubs that, on the other hand, those who had political opinions against the trade were allowed to sit on that bench without objection. He had heard it said that they would not allow brewers to be there, but they did allow brewers of soda-water and other poisonous waters to sit there without objection. These were things which were the subject of great exaggeration no doubt, but he did not think it necessary to make any reflection upon the *personnel* of the licensing justices in order to establish the desirability of this Amendment. He thought the true ground was stated by the Prime Minister, that the licensing justices in their procedure, their duties, and their administration were not judicial; they were not bound to proceed according to the ordinary rules of evidence or law, whereas, this being a *quasi*-penal proceeding, the nature of it required that it should be tried before a tribunal which was bound to proceed according to the ordinary rules of legal procedure and legal evidence.

*SIR FRANCIS CHANNING wished to say one or two words before this Amendment was finally disposed of. He did not think the hon. Baronet opposite had quite appreciated the fact that the Government had introduced into the original proposal, the qualification of the oath and the liability to costs in cases of unreasonable proceedings. That, it seemed to him, gave quite enough of the judicial element in this matter, but he wished to express his own very deep regret at the apparent surrender of the Government of what seemed to him to be not perhaps a vital point of their scheme, but at any rate a very important point of it. He looked at it from this point of view. This was a question of local government as well as a judicial question, and it seemed to him a matter of common sense that they should appoint the same authority to deal with clubs as dealt with the greater question of the public-houses. He did not in the least admit that there was any incongruity, or any injustice, or any unfairness, or anything which could be resented by the members of clubs in starting such machinery. On the contrary, he thought the lessons of local government must convince every thoughtful man that the same authority deliberately chosen locally and imperially should deal with the whole purview of this very important question. The licensing justices were the authority called upon to deal with public-houses and to make great reductions in their number; they were, therefore, the best authority to deal with the same evils in clubs and to check their spread. He insisted, and he pressed this point upon the Committee, that the magistrates, the authority, whatever it was, should be the same. The law had nothing whatever to do with clubs except so far as a club or its members placed themselves in the position of a public-house. The law had nothing to say to clubs. Clubs were self-governing institutions, they only came within the scope of the administrative action of whatever authority Parliament pleased to appoint when the same evils and the same errors were found in clubs as were found in public-houses. He therefore held, although it was not a matter of supreme or decisive importance, that it was more desirable that this scheme should be the original plan of the Government, and he thought they did quite enough in putting down the Amendments which gave judicial procedure to the magistrates to remove the really valid objection taken by some clubs. He had read with astonishment the language of some clubs as to the character of the licensing justices and he did not believe that those bodies, whether they were employers or were of one political colour or another, would act unjustly in administering these provisions. On these grounds he deeply regretted the course His Majesty's Government had taken.

MR. JAMES PARKER (Halifax) desired on behalf of his colleagues and himself to thank the Government for accepting the Amendment. His reasons for supporting the Amendment were entirely different from those advanced by the hon. Gentleman who had just sat down. The hon. Member wanted the licensing justices to deal with clubs and public-houses so that all these questions should be dealt with by one authority, but speaking for himself and his colleagues they were of opinion that these two institutions should be kept as severely apart as possible. They thought that the granting of a licence for this particular trade to one person was an entirely different function from the registering of an institution composed of men who met together and purchased articles from themselves. They were opposed in any way to bringing the two classes of institutions under the same control. He wished further to resent the remarks of the hon. Member for the Mansfield Division of Nottinghamshire. They were not all vote-catching with respect to this particular Bill, and he denied that the Labour Party could be accused of trimming, whatever might be their differences of opinion. They were not vote-catching in regard to clubs and public-houses. They were supporting the Bill so far as the public-house was concerned, and they were trying to make the club a *bona fide* club and to remove from the Bill those provisions which were unnecessarily restrictive in their character and would not tend in the direction of temperance. He would help Members opposite to do anything which would do away with the vicious club, but he would do nothing that discouraged the club that was well conducted.

*MR. CHARLES ROBERTS (Lincoln) said he did not wish to argue the case once more as the Government had already given way on it, and it was not much use crying over spilt milk. Personally, he thought the original plan of the Government was on its merits much better. When they had provided a judicial procedure the point that the justices might act in a casual way or without proper discretion, had been fully met, and there was an appeal from the justices to a Court of law, so that if there were members on the bench who could be got at by teetotal fanatics who were interested in some way he did not understand on financial grounds, appeals could have been made to a Court of law. On its merits he thought the scheme was much better, but, unfortunately, it ran counter to the opposition of a powerful body. At all events his real point on this matter was that there was a very close connection between licensing and these clubs. He thought that the central aim of this clause was a precaution to weed out the badly-conducted club, and a precaution against suppressed public-houses springing up in the guise of clubs. For that reason he attached great importance to there being unity of administration and some link between the licensing authority and the authority which was going to deal with clubs. He did not rise merely to continue the protest that had already been made, but there had been great objection taken on the ground of political prejudice. That was the real ground—the fear that on the ground of politics the justices would differentiate against Liberal and Radical clubs. He did not think they could or would. The justices of the country were not a perfect body, but he did not think they could do that. Public opinion would be far too strong for them. That point was raised in reference to Scottish clubs, and in the Scottish club law it was got over in this way. Clubs to be registered required a certificate of *bona fides* from two justices. Might he not ask the Government to look with a favourable eye upon an Amendment which was down in the name of the hon. Member for North-West Manchester. The hon. Member was anxious to stiffen up the provisions of the Government in reference to clubs, but he had not given much help on this particular occasion, and his anxiety to stiffen up the club clauses now conflicted somewhat with his recommendations on the Licensing Commission in 1899. Then he recommended a scheme which was much less strong than the Government scheme in many important respects, but at all events he had got down an Amendment under which no club would be registered except with a certificate of *bona fides.* That had been found to be of real value in weeding out badly-conducted clubs in Scotland, and he thought it would provide just that link of administration between the licensing authority and the authority which controlled the clubs. Might he therefore ask the Government, as they had thought fit to make this change, to say whether they would not look with a favourable eye upon that so that there might be some unity of administration. He did not think anybody would deny that on a bench of justices would be found at least two righteous men who would look at the matter with impartial eyes. He did not think in Scotland there had been any difficulty with any well-conducted clubs. He quite agreed that they had to differentiate between the well-managed and the ill-managed club. He hoped the Government would see their way to making that modification in this recasting of their scheme.

Sir S. EVANS said they were quite willing to listen to all reasonable appeals on this and all other important Amendments, and if they reached the one to which the hon. Member referred it would receive the same consideration as other Amendments had done. He only wanted to say a word or two in answer to his hon. friend who raised the protest and also to the hon. Member for Norwich. He thought the difference between the two tribunals was a little exaggerated. It really was a question more of procedure than anything else, and he thought the desire of those who had pressed the Government not only in the course of this discussion, but earlier, was to have a judicial body acting judicially as a Court of justice and not as an administrative body. They were making no comments upon the conduct of the licensing justices at all. Everybody knew that the licensing justices came from the same body of people as the justices who formed the Court of summary jurisdiction. Of course, there was also the stipendiary, whose services were required by many people when the particular clause would have to be administered, and he would remain there for that purpose. But it really was more a question of procedure. When they came to Clause 39, where they were dealing with offences which might be charged against officers of clubs, the secretary of the club would come before the Court of summary jurisdiction under that clause. The reason why licensing justices were first put in was that they tried to make the Bill as symmetrical as they could. It would not be wholly symmetrical, but it would not be wholly unsymmetrical either. They had the same body, the Court of summary jurisdiction, dealing with the whole question of clubs in many matters coming within their purview from Sections 36 to 42 inclusive. The words of the Amendment were not the proper words, but he thought the Committee understood what was meant by the mover of the Amendment, and what was considered to be the effect of it, and, therefore, they would accept these words here and substitute them also elsewhere in the clause, but they would have to be recast.

Amendment agreed to.

*MR. HERBERT (Buckinghamshire, Wycombe) moved to amend the subsection by providing that the application for the renewal of registration must be accompanied by "an affidavit of the secretary proving that not less than one-half of the income of the club is derived from sources other than profit upon the sale of intoxicating liquors." He said the object of his Amendment was to make it necessary for the secretary of a club in making his application for registration to send in an affidavit to the effect that the income of the club did not consist, to the extent of more than onehalf, of profits upon the sale of intoxicating liquor. It was by the later provisions of the Bill to be made an objection to the registration of a club that it was used mainly as a drinking club, and that was an exceedingly indefinite expression upon which opinions might easily and would probably differ, and the result of leaving clubs subject to an indefinite condition of that sort would be that they would be subjected to great uncertainty. They would have to fight for their existence on every occasion, and, of course, they might be put to great expense in so doing. It seemed desirable, therefore, in the interests of the clubs themselves, that they should in some way or other give some clearer definition of the meaning of the words "carried on mainly as a drinking club." His object was certainly not in any way to interfere with clubs, but to help them. He agreed with every word that was said by the hon. Members for Glasgow and Halifax with regard to the position of clubs. They had defined the position of hon. Members below the gangway in regard to clubs, and in so doing they had been entirely defining his own views. He desired in every way to forward the existence of good and respectable clubs, and he was entirely with hon. Members below the gangway in their desire in a rational way to restrict those clubs which were not of a respectable nature. The Leader of the Opposition had again and again in the course of the discussion put to them a dilemma in which he said they were. He said they desired to reduce the number of public-houses and at the same time to increase the number of clubs, where drinking was unregulated, and, therefore, he put it to them that they were hypocritical and were not really advancing a temperance measure, and that they were desiring to increase the difficulties of the control of the liquor trade. That was not a true dilemma. It was a false argument, and the answer to it was this, that the conditions under which drinking would take place in the clubs were entirely different from those under which it took place in a public-house. It must be remembered that when a man was in his club he felt he was at home. He was under no obligation to drink anything he did not want. In a club there were games, reading, and other occupations and social intercourse, and there was no one whose interest it was to force upon him drink that he did not want. When he went into the public-house in the conditions under which public-houses existed at present the case was entirely different. There was no amusement for him. He was sitting there in somebody else's house, the house of a man whose business it was to sell as much liquor as he could. The working man was a very decent fellow at bottom and showed it in this way. He did not like to feel an intruder, and when he was sitting in somebody else's house he did not like to sit there without paying his footing, and he quite appreciated that feeling. He was, therefore, made to drink more liquor in the public-house than he would be disposed to in his own club. Not only was that true in theory, but he was told by two hon. Members for Staffordshire of two very remarkable instances which happened in their constituencies. In villages in their constituencies recently clubs were opened. They had a large number of members, they were good clubs, and they found by experience that the amount of liquor consumed in those clubs did not exceed one-fifth of the amount by which the total amount of liquor in the public-houses in the villages decreased. He had asked these two hon. Members to be so good as to verify the figures, and they had not done so at present, but they told him they were satisfied that they were substantially correct. If what he stated was correct, it was a very remarkable circumstance, and ought to weigh materially in the minds of the Committee in dealing with this question; because if it was found by experience, when there was an opportunity of meeting in a social way, and of consuming alcoholic liquor, that the privilege was not abused, even when there were no unnecessary restrictions, such a fact ought very materially to influence the minds of hon. Members and it became clear that it was a fallacy to suggest that if a public-house was closed and a club opened in its place, that merely transferred the same amount of drinking from regulated to unregulated conditions. He did not desire to be bound to the exact proportion of the income he had mentioned in his Amendment. There was an Amendment in the name of the hon. Member for Altrincham which proposed an entirely different proportion, and it might be that the experience of hon. Members would show that the figure which the hon. Gentleman named was a better one than that which he suggested. If that were so, he would be perfectly willing that that figure should be inserted. All he desired was to have the position of the clubs clearly defined. It was very difficult to obtain the exact figures on matters of this sort. His Amendment had been under the consideration of the Working Men's Club and Institute Union, and figures had been sent to him by the secretary of that union with the object of showing that the Amendment was quite impossible. But if they looked at the figures which that Gentleman gave it would be seen they did not help in the slightest degree, because the Amendment was confined to the profits which accrued to the club from the consumption of alcoholic liquors. The secretary's figures simply gave the total amount of income received from refreshments, and if with the time and possibilities at his disposal he had not been able to give any figures which showed that his Amendment was impossible, it was not an unfair inference that the Secretary had found himself unable to put forward a club, which could be vouched as a respectable club, where more than half the funds necessary to carry it on were derived from profit on the sale of intoxicants. He had not sufficient personal experience of these working men's clubs to pin himself to the figure which he had put in his Amendment, although he should have thought that if a club obtained more than half the funds necessary to carry it on from profits on alcoholic liquor it could be fairly described as mainly a drinking club; and therefore he was perfectly willing, if it was thought that the figure given by the hon. Member for Altrincham was more reasonable, or any other suggestion was made, to accept it, for all he wished was to act in the interests of the clubs so that the matter might be made definite and clear. It must not be forgotten that, if the Committee left the words indefinite, the duty of construing them would be thrown on the Courts, and he thought it quite conceivable that the Courts would put upon the words in the Bill the construction which by his Amendment he desired Parliament to do.

Amendment proposed—

"In page 18, line 7, after the word 'justices," to insert the words 'and such application is accompanied by an affidavit of the secretary proving that not less than one-half of the income of the club is derived from sources other than profit upon the sale of intoxicating liquors.'" —(*Mr. Herbert.*)

Question proposed, "That those words be there inserted."

*MR. HERBERT SAMUEL said the Government did not think it possible to devise a hard and fast mathematical line to distinguish drinking clubs from those clubs which did not exist mainly for the consumption of alcoholic drinks. In some clubs the profits on the sale of intoxicating liquors might be exceedingly large while the subscriptions might be very moderate. A club might have a bagatelle table, a billiard table, reading-rooms, library, lectures, a football club, and subordinate institutions of all kinds, and yet with a moderate consumption of liquor the income from liquors sold might exceed the revenue from all the other sources together. A *mala fide* club might very easily evade a restriction of the kind proposed in the Amendment, by charging a comparatively high subscription and selling the liquors at low rates, thus encouraging drinking. Then there were cases of clubs which lived rent free. Such clubs had no reason for a large subscription, because they had a place provided for them by the employers of the workmen who formed the club. Generally a club of that sort charged a small subscription, while the charges for drink were the ordinary prices for liquors consumed on such premises. They might find two clubs exactly similar in all respects, except that one had a building provided for it by the employers of the workmen and therefore paying no rent, while the other paid rent and charged a correspondingly higher subscription. The club which paid no rent might sell no more liquor than the club which paid a rent, yet the proportion in which its profits were derived from liquor might be adduced to bring it within the scope of the Amendment, while the other club remained outside of it. These reasons, apart from others which might be adduced were, he thought, amply sufficient to convince the Committee that this was not really a desirable Amendment, and he trusted that his hon. friend would not press it.

EARL WINTERTON said he found himself in the most unusual and unenviable position of having to agree with the Under-Secretary and the Government. He was bound to say, if such an Amendment had been moved from that side of the House, that he was not sure the Government would not have said it was "mere obstruction." He understood the hon. Gentleman who moved the Amendment to say that he was not an expert in the matter of the proportion of the profits of clubs derived from the sale of drink and from the sale of food. He thought the hon. Gentleman was not present when on a former occasion the profits derived from the sale of drink and other sources were given in relation to the National Liberal Club. He thought that in that case, as, of course, in others as well, as much as two-thirds of the profits were derived from the sale of intoxicating drink. He agreed with the Under-Secretary for the Home Department that it was impossible to draw a hard and fast line. It would be grossly unfair, and he believed, as he had said, that if such an Amendment had been proposed on that side of the House it would have been described as obstructive.

MR. WILLIAM ABRAHAM (Glamorganshire, Rhondda) said that when the noble Lord agreed with the Government it was time to say: "I wonder where we are." He would not say a word against well-conducted clubs, where they were to be found. The Labour Party were willing to do all they could to protect proper working men's clubs, but three-fourths of the clubs were known to be purely drinking dens where all kinds of evil existed. Some of the Labour Party had had occasion to mark those clubs which had degenerated into places for the sale of liquor. Clubs had arisen in his part of the country which attracted men who used to go to the Sunday school and the Lord's house on the Sabbath. He knew valleys where men spent the peaceful Sabbath in these clubs. If he had command of the English tongue like some members of the Opposition, he could depict the difference on the Sabbath between the picture of the village where there were no clubs for many years, and the picture now to be seen since clubs came with their evils. In Wales they had been receiving the blessings of the Sunday Closing Act for many years, seeing the people becoming sober, as it were, by law. It was said that they could not make people sober by Act of Parliament, but by law they could remove the temptations which the clubs had brought into their valleys. In the Rhondda Valley on the Lord's Day, before clubs were established, the scene was one of peace, but since their advent there had been a direct increase of the evils which they brought in their train. They could not expect people to say much for the clubs as they were conducted in South Wales where they were a curse. He called upon the Government to do what they could to suppress these drinking dens, and to see that they did not get more liberties than they had already. He was a teacher in a Sunday school and was proud of the fact, and he had found that men who used to come to that Sunday school before these clubs were opened had been lost. Could he have but the eloquence of an angel he would expend it all in trying to persuade hon. Members to do all that was possible to end what was a curse to the country.

VISCOUNT CASTLEREAGH (Maidstone) said he did not question the sincerity of the hon. Member who moved the Amendment, because he did so in a very eloquent manner, which they expected from him, but he could not say that he agreed to the proposition put forward by him. He thought everyone would agree that it was obvious that if this Amendment were incorporated in the Bill it would mean the closing of a great many workingmen's clubs. He did not say that in any spirit of disparagement of the working men's clubs, but they knew perfectly well that many of these clubs had a very small subscription; it was of importance that they should have a small subscription so as to get as many members as possible, and it was very obvious that half of the profits of these clubs were derived from the sale alcohol to members. This was not a controversial matter in any sense of the word. They were all interested in clubs, and they had to recognise—and he thought they all welcomed that movement—that there was a great extension of club life in the country. It was true that there were clubs and clubs, and that a great many clubs had been formed owing to the repressive and restrictive legislation put forward by the Government, and that drinking had been indulged in in that way. The last speaker had referred to Sunday closing in Wales, and he (Lord Castlereagh) quite agreed that owing to Sunday closing in Wales a great many of those who looked to Sundays for drinking purposes had been driven into clubs for the purpose of satisfying those demands. It was not his idea of the extension of club life, and he could not believe that such clubs did any good whatsoever. He was convinced that if this Amendment was incorporated in the Bill, it would have the effect of closing a great many working men's clubs, and he was sure that if they were closed—he did not care on which side of politics they were—it would do a great deal of harm to the life of the working men of the country. He opposed the Amendment.

Mr. CROSSLEY (Cheshire, Altrincham) said that as he had an Amendment on the Paper somewhat similar in character to that before the House, he might perhaps be allowed to say a few words upon this subject. He was trying to find out some automatic way of showing whether clubs were mere drinking clubs or properly conducted clubs. He thought if an annual balance sheet, properly audited by an accountant, showing what proportion of the club's revenue was obtained from liquor, and what was obtained from other sources, were submitted to the licensing justices they would be able to see from that sheet whether the club made its way merely through the sale of drink, or otherwise, and could act accordingly. He was afraid that many of these clubs would develop into mere drinking dens, and if by any ingenuity they could find out some way of seeing whether a club was going right or wrong it would be welcomed by the working men. He believed in club life; very often it was a question of the "tail wagging the dog." If respectable working men said that drinking was on the increase, and that the club was no longer as useful as it had been they would leave it and go somewhere else, and the club would go from bad to worse. They would much rather stay away than fight their own officials. Therefore some rule should be made showing automatically whether a club was going right or wrong. He believed that many drinking clubs existed. He had the greatest horror of licensing these clubs himself. A friend of his reported to him a visit he made to one of these clubs. The visit was paid on a Monday morning. He found every department full and all the people drinking. In the theatre, a woman, with very little attire, was singing an abominable song, and fourteen waiters were serving drink. That was in the morning before one o'clock.

An HON. MEMBER: Bank-holiday?

Mr. CROSSLEY: No. The president of the club was drunk, and was threatening vengeance on any Government that threatened to interfere with clubs. While they knew that there were clubs that were doing more harm than public-houses they must admit that there were many good and well-managed ones. They really wanted to see restrictions on bad clubs. In Manchester the drunkenness caused by clubs was considerable. Between the hours of 12 and 3 a.m., after all those ejected from the public-houses had in all probability got home, the arrests for drunkenness were very numerous, and those cases of drunkenness were attributed by the police to the clubs. He supported the Amendment.

*MR. BARNARD said nobody wanted to interfere with *bona fide* clubs; they aimed at something quite different. Whilst this Amendment went in the right direction he was not quite certain that it was the best that could be selected out of those on the Paper, for dealing with this matter. He should have preferred, though he did not think it was quite perfect, the Amendment in the name of the hon. Member for Barnard Castle as being more likely to obtain what was desired, because it was perfectly clear that unless the conditions expressed in the Bill were specific and precise it would be easy to go behind them and defeat their object. Although they all had ideas in regard to tied clubs, it was almost impossible to prevent them. There was no legal claim on a man who betted and did not pay, but the bookmaker usually found it worth while to take the risk, and it might be worth while for a person who could not get a tie to take the risk of loaning out the money without such tie, knowing perfectly well that the debt would carry the tie with it. He thought that if the Government accepted the idea contained in this Amendment, and others dealing with this subject, and took the matter in hand, they could put something down to deal with this question on the Report stage, which would largely commend itself to the majority of the Members of the House. Under the present Bill if licensed houses were decreased by 30,000 out of 90,000, the proportionate increase of clubs would be much larger than it had been in the past. That was why he hoped the Government would make the clauses governing and controlling clubs more stringent.

MR. HERBERT asked leave to withdraw his Amendment.

Amendment, by leave, withdrawn.

MR. NUSSEY (Pontefract) moved an Amendment to provide that an application should be accompanied by the names and addresses of the members and any additions to or removals therefrom made within twenty days of the date of the application for the renewal of registration. The Amendment was not moved, he said, in a hostile spirit to the Bill or to the ordinary well-conducted club. He had always had the greatest sympathy with the club movement, and had done all he could to encourage well-conducted clubs, not only in his constituency, but elsewhere. But however desirable it was to be a member of a well-conducted club, it was certainly undesirable to be a member of a bogus club. The Amendment was aimed against bogus clubs, because at present magistrates had no information regarding these at their disposal. The difficulty at present in regard to bogus clubs was to find out who were the members, where they lived, whether they were respectable members of society or known to the police, whether they had any convictions recorded against them, or whether they were sufficient in number to form a club. It seemed to him it was desirable that such information should be obtained before granting a licence, and all that information could be got within the four corners of his Amendment. He was informed that there was a similar provision in the Scottish Act which had been found of great assistance in the administration of the Act and had led to a great number of clubs being turned off the register. He did not think his Amendment could be called inquisitorial. The secretary of a club, in applying for a licence, had to sign a document declaring that he had a list of the names and addresses of all the members of the club, and this Amendment would only be asking him to produce it in Court. Under the present law he knew of no power which would compel the secretary to produce that list of members unless the club was not being properly conducted. He did not think there was any fear that the licensing justices or the Court empowered to grant licences would act in other than an impartial manner. Their duty would be more of an administrative than a judicial character. The licensing justices would act impartially, and they would have no object in view except to establish *bona fide* clubs. He asked the

Government to give this Amendment favourable consideration, and he moved it on the ground that it would strike a serious blow at the formation of bogus clubs and would not hinder in the least the carrying on of *bona fide* working-men's clubs.

Amendment proposed—

"In page 18, line 8, after the words 'application,' to insert the words 'upon being furnished with the names and addresses of the members and any additions to or removals therefrom made within twenty days of the date of the application for the renewal of registration.'"—(*Mr. Nussey.*)

Question proposed, "That those words be there inserted."

SIR S. EVANS hoped that his hon. and learned friend would not press this Amendment becuse it was impossible for the Government to accept it. Even if it was adopted it would not carry out the intention of the hon. Gentleman. Such a register would only set forth the names and addresses of members of such a club at a particular date. There would be no information regarding these during the remainder of the twelve months. With the object of the hon. Member to put down bogus clubs they all agreed, but the Amendment would go further and enable people to inquire into the affairs not only of the club, but of the members as well. That was not a proper thing to allow. Already, under the Act of 1902, provision was made for the secretary of a club making an annual return to the clerk of justices showing that a register of the names of members and a record of their subscriptions was kept. For those reasons the Government were quite unable to accept the Amendment.

*MR. SUMMERBELL (Sunderland) thought the anxiety with regard to workmen's clubs was being carried a little too far in this Amendment, and he hoped the Committee would reject it. A good deal had been said in the debate about working-men's clubs. For a great many years they had had clubs in this country and he was a little surprised that some hon. Members had painted such black pictures about the way they were carried on. [Cries of "No, no."] At any rate the hon. Member for Manchester had done so.

MR. JOYNSON-HICKS said he did not confine his remarks to working-men's clubs, and he made no such suggestion.

*MR. SUMMERBELL said that at any rate many of the remarks were applied to workmen's clubs and not to political clubs which had been a long time in existence. What happened in many political clubs? Evils were to be found there. Young men were to be found drinking, playing cards, and gambling. The anxiety of hon. Members regarding working-men's clubs had been a little bit overdrawn. He was a member of a working-men's club and hon. Members could go there any time and they would not see a woman there and no women were allowed there. That rule applied to a large number of working-men's clubs. There might be bad clubs, but let not the Committee have a general condemnation of all working-men's clubs on that account. He asked hon. Members to show a little more fair play in thier criticisms so far as *bonafide* working-men's clubs were concerned.

Amendment, by leave, withdrawn.

SIR S. EVANS formally moved to substitute for the words "licensing justices" in subsection (2) of the clause the words "local stipendiary magistrate or local Court of Summary Jurisdiction."

Amendment proposed—

"In page 18, line 9, to leave out the words 'licensing justices' and insert the words 'local stipendiary magistrate or local Court of Summary Jurisdiction.'"—(*Sir S. Evans.*)

Amendment agreed to.

VISCOUNT HELMSLEY (Yorkshire, N.R., Thirsk) moved to leave out subsection (3). He said this was a new provision, the meaning of which he really did not know. Did it mean that if from inadvertence someone had failed to make an application for registration within the specified time, a club might be struck off the register? It seemed to him that it would be a very severe penalty to impose for the neglect of a secretary that the club should be automatically struck off the register.

Amendment proposed—

"In page 18, line 11, to leave out subsection (3)."—(*Viscount Helmsley.*)

Question proposed, "That the subsection stand part of the clause."

SIR S. EVANS said it was unnecessary for him to discuss the policy of this subsection. As had been pointed out, it was possible that there might be inadvertence on the part of someone in failing to apply for registration within the time specified, and that the club might thereby be subjected to penalties. He had no great objection to add words which would allow the Court to decide whether the neglect to apply was due to inadvertence or something of that kind.

VISCOUNT HELMSLEY expressed himself satisfied with the promise given by the Solicitor-General, and asked leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

SIR S. EVANS moved to add at the end of the subsection the words "unless the Court is satisfied that the application was not made owing to inadvertence."

Amendment proposed—

"In page 18, line 14, at end, to add the words 'unless the Court is satisfied that the application was not made owing to inadvertence.'"—(*Sir S. Evans.*)

Question proposed, "That those words be there added."

MR. JAMES CAMPBELL (Dublin University) said the Amendment would give unlimited time for making the application. He suggested that the hon. and learned Gentleman should limit the time for making the application to a period of three months from the expiration of the year.

SIR S. EVANS said an application for renewal must be made in the month of January. This Amendment only dealt with a particular matter, and the application could not be made at any time after the expiration of the year.

EARL WINTERTON said it was most undesirable that the time should be limited. If a secretary through inadvertence failed to apply for renewal, he should be afforded every opportunity of rectifying his mistake.

MR. SIMON (Essex, Walthamstow) said the clause as printed provided that unless an application for renewal was made during the first twenty days of January the club would cease to be registered. The result of the Amendment would be that the club would be liable in penalties for selling liquor unless the Court was satisfied that the application was not made owing to inadvertence. He doubted very much whether the form of words which the Solicitor-General had proposed would have the effect intended. The secretary of a club might satisfy a midsummer Court that the application was not made owing to inadvertence, but did that mean that a prosecution for something that had happened in February was to be automatically cancelled, or were words to be put in to make the subsection retrospective?

MR. JOYNSON-HICKS said a prosecution might take place in the interim, and, therefore, something should be done to protect the club from the penalties which might be imposed for the illicit sale of drink owing to the inadvertent omission to have the registration renewed. He suggested that the Solicitor-General should take time to consider the form of the Amendment.

SIR S. EVANS: I have taken the words from the Scottish Act.

SIR F. BANBURY said the Committee should be quite certain what they were doing. The lawyers who had spoken had contradicted each other. As the matter stood he did not understand what the intention of the Amendment was.

SIR WILLIAM ANSON (Oxford University) said the object they had in view was to save clubs from the penalties which otherwise would fall upon them for neglect by inadvertence to apply in the specified time for renewal of registration.

Amendment agreed to.

MR. EVELYN CECIL moved to leave out subsection (4). He wished to know whether this subsection, if retained in the clause, would not require some modification in view of the Amendment which had just been made on the previous subsection.

Amendment proposed—

"In page 18, line 15, to leave out subsection (4)."—(*Mr. Evelyn Cecil.*)

Question proposed, "That the words proposed to be left out to the word 'the' in line 15 stand part of the subsection."

MR. GRETTON said that fourteen days were allowed for lodging objections after publication of the notice that an application had been made for the registration or the renewal of the registration of a club. In a case where an application had been delayed owing to inadvertence would the time for lodging objections be fourteen days from 21st January, or fourteen days from the time the application was made? If objections could be lodged later than fourteen days from 21st January, how was notice to be given of the application?

SIR S. EVANS said that if the Court came to the conclusion that the application was delayed owing to inadvertence, all the proceedings which now followed in the ordinary course would be followed in such a case.

Amendment negatived.

SIR S. EVANS moved a consequential Amendment.

Amendment proposed—

"In page 18, line 15, to leave out the words 'licensing justices,' and to insert the word 'court.'"—(*Sir S. Evans.*)

Amendment agreed to.

MR. JOYNSON-HICKS said he wished to move an Amendment with the object of making the Bill more *bona fide*, and more stringent with regard to clubs. The Amendment provided that an application for a club certificate should be accompanied by a certificate, signed by two justices having jurisdiction in the place where the premises in respect of which the application is made are situated, that to the best of their knowledge and belief the club for which application for registration is made is to be, and in the case of an existing club has been and is to be, conducted as a *bona fide* club, and not mainly for the supply of intoxicating liquor. He insisted that this Amendment was not at all factious, but would only ensure the registration of *bona fide* clubs, and eliminate from the register those which were nothing more than drinking clubs. He suggested that any club that was unable to get from two justices of the peace in the division in which the club was situated, a certificate that from their own knowledge it was a *bona fide* club, must be in a very poor way. Clubs had very largely increased of late, and any workmen's club which was either political or social, or anything but a drinking club, could easily get two magistrates to certify that. The Amendment was taken textually from the Scottish Licensing Act of 1903, passed by his own party, and if the promoters and committees of clubs in Scotland were able to get that certificate, he did not see why similar persons could not get exactly the same certificate from two magistrates in England. He therefore appealed to all Members who really desired to strengthen *bona fide* clubs to support his Amendment.

Amendment proposed—

"In page 18, line 17, after the word 'purpose,' to insert the words 'accompanied by a certificate, signed by two justices having jurisdiction in the place where the premises in respect of which the application is made are situated, that to the best of their knowledge and belief the club for which application for registration is made is to be, and, in the case of an existing club, has been and is to be, conducted as a *bona fide* club and not mainly for the supply of intoxicating liquor.'"—(*Mr. Joynson-Hicks.*)

Question proposed, "That those words be there inserted."

MR. JESSE COLLINGS (Birmingham, Bordesley) said he hardly thought that

Sir William Anson.

the hon. Gentleman was in earnest in proposing this Amendment. It was an insult to clubs and an innovation. How was it possible for any two magistrates to know enough about a large number of clubs to be able to grant a certificate, and to become responsible for the conditions which his hon. friend desired? It was an utterly impracticable suggestion. He supposed that if the two magistrates did not grant the certificate the club would cease to exist or the registration would not be renewed.

MR. J. W. WILSON (Worcestershire, N.) appealed to the Government carefully to consider whether they could not accept the Amendment. It seemed to meet the case when the jurisdiction with regard to clubs had been taken away from the majority of the justices in consequence of the suggestion that they might use their power in a manner not to merit the confidence of all sections of the community. The object of the Committee, he took it, was to prevent a confiscated licence being turned at once into a club, where liquors were consumed, and it seemed to him that a certificate of two justices was a very small thing to ask. He could not but think that it would be a distinct gain to the Court which had to decide these cases and would produce confidence.

MR. LAMBTON said that the Amendment was quite contrary to the subsection which had already been passed. The Committee having decided that the licensing justices should not be admitted on this matter, because there was some suspicion in regard to the majority of them, it would be absurd now to put it into the power of two justices only to say whether the certificate should be granted. He hoped the Government would reject the proposal.

*MR. REES (Montgomery Boroughs) submitted that this Amendment was a superfluity of naughtiness. If it was to apply to previously existing clubs, how absurd it was that clubs of long standing and acknowledged respectability were to require a certificate of this sort from justices who possibly were not suitable persons to speak of their character. It was not the intention of the Bill to create a new heaven and earth, but to encourage the institution of respectable clubs and provide safeguards for them, and to discourage clubs of an opposite character. It was quite a common thing in a small town to have both a Liberal and a Conservative club, and he thought a section like this by which the renewal of the registration of a Conservative club depended on a certificate of character from two Liberal justices, or *vice versa*, might lead to abuses and ill-feeling. He hoped the Government would be content with the section into which a good Amendment had already been imported and would not accept this Amendment from the opposite side, which was at the moment over-riding the temperance horse.

*MR. CHARLES ROBERTS desired to support what had been said by the hon. Member for North-West Manchester, but he wished he would make it go a little further, because the Scottish Act provided not merely for a certificate on the original application for registration but on the annual renewal. He did not see why the hon. Member for North-West Manchester should fall below the high standard which his own party had already set up. It had been said that what the Amendment provided for would be inconsistent with the tribunal already set up, but he would point out that the Scottish Act, which was the work of the Unionist Government, set up a judicial tribunal, the Sheriff Court. He thought that the provision was a really valuable one, and that it would be always possible to get two justices who would be really fair in granting a certificate. For that reason he appealed to the Government to give this extra power. In all quarters of the House they had been asked to distinguish between *bona fide* and bogus drinking clubs. Let the Committee take this further practical step to differentiate between them.

SIR GILBERT PARKER (Gravesend) did not think it necessary to multiply certificates of character in order to obtain general security against abuses. It might be necessary in Scotland, but he did not think it was so in England. The Government had already provided adequate security against bogus clubs by inspection and for objections being lodged against particular clubs. He did not think it was necessary with a club any more than with a private person to ask for a certificate of character every time an application was made for registration. When dealing with such questions they ought to bring to bear upon them their present judgment and not the past judgment of any Government. The Amendment was unnecessary; what was more, it was unreasonable, and he could not support it. If it was unreasonable in the case of private persons it was more unreasonable in regard to a club, where there was an accumulation of people who ought to be supposed to be of unobjectionable character until objection was raised to them. This appeared to him to be a most unreasonable Amendment, and he was sorry to say he could not vote with his hon. friend for it.

MR. MARKHAM said the hon. Member who had just sat down had described this as a most unreasonable Amendment, but if he would go through *Hansard*, the hon. Gentleman would find that in 1903 he supported this very Amendment, in a Bill brought in by a Conservative Government. The right hon. Gentleman the Member for Bordesley was then sitting on the Treasury bench and was a party to the measure which applied this provision to Scotland. He lived among the working classes and claimed to have as much knowledge of them as hon. Gentlemen below the gangway opposite, who were always speaking on their behalf in the House. As to the restriction of clubs, he had himself established three clubs, and was establishing another one at the present moment, so that he was the last man to stand up in the House and advocate that clubs should be closed, but he did say that there was no more intolerable evil than the drinking and gambling clubs that prevailed in the district in which he lived. The Amendment was surely a most reasonable one, and was not of the unreasonable character described by hon. Members opposite, who had themselves been party to this particular provision. There was not a Petty Sessional Division in England or Wales where there were not two magistrates who knew whether a club was being used as a bogus club or whether it was a genuine club established and carried on according to law. There were in every licensing district throughout the kingdom two magistrates who would be able of their own knowledge to certify whether a club within their particular licensing area was used for the purpose of a drinking club or a *bona fide* club for the comfort and convenience of the people using it. What was the character of the club which would be dealt with by the Amendment? If hon. Members would refer to the Report of the Royal Commission they would find, not only in the minutes of evidence but in the recommendations of both the Minority and Majority Reports, evidence to show that numerous clubs were started in various parts of the country and run for the profit of individuals. That had happened in his part of the country. The local magistrates were, after all, the best men to judge between *bona fide* and bogus clubs, and, in his opinion, when an application for registration was made, it should be made to the people who had the power to deal with public-houses. If the Government accepted this Amendment, founded on the Scottish Act, under which two magistrates only had to give their certificate in their own licensing area that a club was a *bona fide* club and not a bogus club, that would cover the Amendments which he himself had placed on the Paper. Owing to the gag, which had been thrust down their throats, however, the Committee would be unable to discuss many important Amendments. [OPPOSITION cries of "You voted for it."] He did not vote for it. The whole of this thing was a farce. The party on the other side were bidding for the publicans' votes, the party on his side were bidding for the club votes, and between the two the cause of temperance went to the wall for the sake of political considerations.

*MR. RAMSAY MACDONALD (Leicester) said he should support this Amendment with the greatest amount of pleasure, if it would carry out the declared intention of the mover, but in his opinion it would do the exact opposite. He was therefore sorry that he could not agree in this respect with his hon. friend, the Member for Lincoln. First of all, what did the Amendment say? It said that two justices should give a certificate to the best of their knowledge and belief that—

> "The club for which application for registration is made, is to be, and in the case of an existing club has been and is to be, conducted as a *bona fide* club and not mainly for the supply of intoxicating liquor."

They had to say that a club not already in existence was to be conducted in good faith. What two magistrates were able to say from their knowledge that a club was going to be conducted in good faith? They would therefore have a certificate which was absolutely worthless, although it would be given from good intentions. Supposing it was going to be a political club? Supposing it was going to be a Conservative club? All that was required was to go to two Conservative magistrates and they would give the certificate. The same thing would happen if it was going to be a Liberal club; two Liberal magistrates would sign it. And he was bound to confess the same thing would happen if it was going to be a Labour club: two Labour magistrates would sign. As regarded existing clubs it was not stated that the certificate was going to carry any guarantee that the magistrates signing it had inquired into the circumstances of the case. Therefore the certificate would be got much too easily to carry any value, and when it was obtained it would be taken to a Court of Summary Jurisdiction, and then it would be treated by that Court—as it had to be treated—as *prima facie* evidence that the club was good. If the certificate was required, then he submitted that it was required for the only purpose for which it could be required, viz., as *prima facie* proof that the club was good. That was all right if they made it carry a guarantee that the circumstances of the club had been inquired into, but the effect of the Amendment as it stood would really be to shelter bogus clubs much more than it would deter them.

SIR S. EVANS said the Government could not accept the Amendment, although they were entirely in sympathy with those who thought it would do some good and would prevent the granting of certificates to bogus clubs or prevent renewals to bogus clubs. But he must tell the Committee that the Amendment would have no effect of that kind, and it was quite possible that it would have just the contrary effect. Supposing the applicant went to magistrates who had no knowledge of the locality or the rules of the club but who to their best knowledge and belief thought the club was going to be conducted as a *bona fide* club—supposing they were wrong in that belief, what happened? The club held a certificate of two justices practically in favour of opening the club. But the application for opening the club must be made to two other justices, and they would by this Amendment fetter them, and make it difficult for them to overrule that certificate. The Amendment was quite unnecessary and might be mischievous. In the case of a *bona fide* club it would be mischievous if they could not get the certificate of two justices, because it would prevent an application to the proper tribunal. On the other hand, if it was not mischievous it was absolutely useless, because if it did not fetter the justices it had no effect at all in regard to clubs about to be established. If the Amendment meant anything at all, it applied, not only to clubs about to be established, but also to clubs already established, and therefore, applied to the renewal of a licence. Again, in the case of existing clubs, and there were hundreds of *bona fide* clubs in existence, it would be absurd to have a certificate of this character. It would be a work of complete supererogation to say to those people that before they could get a certificate they must ask two of their members to say that the club was well-conducted. He thought he had said enough to convince those who had supported the Government in this Bill that they ought to support them in this. They were dealing with a clause which affected clubs which were not registered. It began—

> "The clerk to the licensing justices shall not register any unregistered club except on an application made by the secretary for the purpose."

And then came this Amendment—

> "Accompanied by a certificate signed by two justices,"

and so forth. Upon its merits, even if couched in the proper phraseology, which it was not, the Amendment ought to be refused.

Mr. WALTER LONG (Dublin, S.) agreed with the learned Solicitor-General in the view he took in regard to this Amendment. But he desired to express the sincere sympathy of the Opposition for the hon. Members for Lincoln and Mansfield at the position in which they found themselves at the conclusion of this debate. The hon. Member for Lincoln had made a most touching appeal to the Government to accept this Amendment in order that something might be done. The hon. Member was forced in the depths of his agony to admit that the only practical suggestion for dealing with clubs came from the Opposition side of the House, and he wanted the Government to do something which would have a real effect upon bogus clubs. He agreed that the Amendment was one which could not possibly be accepted, and he hoped his hon. friend behind him would not press it. It proposed to throw upon two magistrates a duty which they could not possibly perform. The hon. Member for Mansfield finished completely and artistically the picture the hon. Member for Lincoln had commenced. He had told the Committee that hon. Members on the Opposition side of the House were angling for the publicans' votes. They were not ashamed, if the Government attempted to deprive the publicans and the owners of breweries of their property, to say that on those benches would be found advocates to stand up for their interests; but the Government were now told by one of their own supporters that this Bill was framed to secure the votes of those interested in clubs, and between the two parties temperance fell to the ground. If there were two contending parties, he was prepared to believe that they on that side were fighting for votes they already possessed, whereas the Government were fighting for what they had not got, and, therefore, the condemnation in respect of angling for votes came from one of the Government's own supporters. He agreed that this was one of the most important clauses in the Bill, and if temperance by the stamping out of illegitimate and illegal traffic in drink was the real object of the Government they would have allowed further time for the discussion of the club question.

Sir S. EVANS pointed out they were only taking one clause that day, and had allotted three days to the clubs.

Mr. WALTER LONG said that this was the vital and most important clause, and the debate upon it ought not to have been limited to one day. It should have taken three or four. The Government did not pretend, and had not pretended, that they were dealing with the question in an effective way, and their condemnation, in its most eloquent terms, came not from the Opposition, but from their own supporters.

Mr. W. R. REA (Scarborough) stated that the Amendment expressed a feeling strongly held by a considerable body of opinion in the House. They felt it necessary that something should be done to stiffen up these provisions, not so much in regard to existing clubs but to prevent the rapid growth of bogus clubs in the future.

Mr. MARKHAM pointed out that the Member for Spen Valley wrote a special Memorandum which was attached to the Report of the Royal Commission. In the Report which he signed certain recommendations were made in regard to the management of clubs, but not a single one had found its way into the Bill or been accepted by the Government. In that Memorandum, the right hon. Gentleman said that ultimately the sale of drink in clubs would have to be more stringently dealt with than in the Report of the Royal Commission. In those circumstances he asked the right hon. Member how he could reconcile that statement with his approval of the action of the Government.

Mr. JOYNSON-HICKS hoped that members of the Ministerial Party who took the view that the Government were not going far enough would vote for the Amendment.

Question put.

The Committee divided:—Ayes, 24; Noes, 370. (Division List No. 327.)

AYES.

Agar-Robartes, Hon. T. C. R.
Baldwin, Stanley
Banner, John S. Harmood-
Baring, Capt. Hn. G (Winchester
Barrie, H.T. (Londonderry, N.)
Cory, Sir Clifford John
Craik, Sir Henry
Dickson-Poynder, Sir John P.
Fell, Arthur

Guinness,W.E.(Bury S. Edm.)
Harvey,W.E.(Derbyshire,N.E.
Hope,W.Bateman(Somerest,N.
Howard. Hon. Geoffrey
King,Sir HenrySeymour (Hull)
Lane-Fox, G. R.
Maclean, Donald
MacVeagh,Jeremiah (Down, S.
Percy, Earl
Roberts, Charles H. (Lincoln)
Rutherford, W. W. (Liverpool)
Smith,F.E.(Liverpool, Walton)
Talbot,Rt.Hn.J.G.(Oxf'd Univ.
Wilson,A.Stanley (York, E. R.)
Wilson, Hon. G. G. (Hull, W.)

TELLERS FOR THE AYES—Mr. Joynson - Hicks and Mr. Markham.

NOES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Acland-Hood,Rt Hn.SirAlex.F.
Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Allen,A.Acland (Christchurch)
Allen, Charles P. (Stroud)
Anson, Sir William Reynell
Arkwright, John Stanhope
Armitage, R.
Armstrong, W. C. Heaton
Ashley, W. W.
Ashton, Thomas Gair
Asquith,R.Hon.HerbertHenry
Astbury, John Meir
Baker,Joseph A.(Finsbury, E.)
Balcarres, Lord
Balfour, Robert (Lanark)
Banbury,Sir Frederick George
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beaumont, Hon. Hubert
Beck, A. Cecil
Beckett, Hon. Gervase
Bell, Richard
Bellairs, Carlyon
Belloc, Hilaire Joseph Peter R.
Bignold, Sir Arthur
Birrell, Rt. Hon. Augustime
Black, Arthur W.
Boulton, A. C. F.
Bowerman, C. W.
Bowles, G. Stewart
Brace, William
Bramsdon, T. A.
Branch, James
Bridgeman, W. Clive
Brigg, John
Brocklehurst, W. B.
Brodie, H. C.
Brunner,J.F.L.(Lancs., Leigh)
Bryce, J. Annan
Buchanan, Thomas Ryburn
Bull, Sir William James
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cameron, Robert
Campbell, Rt. Hon. J. H. M.
Carlile, E. Hildred
Carr-Gomm, H. W.
Castlereagh, Viscount
Cave, George
Cawley, Sir Frederick
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil,Lord R.(Marylebone, E.)
Chamberlain,RtHn.J.A. (Worc
Channing, Sir Francis Allston
Cheetham, John Frederick
Churchill, Rt. Hon. WinstonS.
Clive, Percy Archer
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins,Sir Wm.J.(S.Pancras,W
Compton-Rickett, Sir J.
Corbett,C H(Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Courthope, G. Loyd
Craig,Charles Curtis(Antrim,S.
Craig, Herbert J. (Tynemouth)
Crooks, William
Crosfield, A. H.
Cross, Alexander
Crossley, William J.
Curran, Peter Francis
Dalmeny, Lord
Davies,David (MontgomeryCo.
Davies,M.Vaughan- (Cardigan
Davies, Timothy (Fulham)
Davies,Sir W.Howell(Bristol,S.
Dewar, Arthur (Edinburgh, S.)
Dickinson, W.H.(St.Pancras,N.
Dobson, Thomas W.
Doughty, Sir George
Duckworth, James
Du Cros, Arthur Philip
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Duncan,Robert (Lanark,Govan
Dunn, A. Edward (Camborne)
Dunne,Major E.Martin(Walsall
Edwards, Enoch (Hanley)
Edwards, Sir Francis (Radnor)
Ellis, Rt. Hon. John Edward
Erskine, David C.
Essex, R. W.
Evans, Sir Samuel T.
Everett, R. Lacey
Faber, George Denison (York)
Faber, Capt. W. V. (Hants, W.)
Fardell, Sir T. George
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Findlay, Alexander
Fletcher, J. S.
Foster, Rt. Hon. Sir Walter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gardner, Ernest
Gibb. James (Harrow)
Gibbs, G. A. (Bristol, West)
Gill, A. H.
Glen-Coats, Sir T.(Renfrew,W.)
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch,Henry Cubitt(Peckham)
Goulding, Edward Alfred
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Guest, Hon. Ivor Churchill
Guinness, Hn. R. (Haggerston)
Gulland, John W.
Gurdon,Rt Hn.SirW.Brampton
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Harcourt,Rt.Hn.L.(Rossendale
Harcourt, Robert V.(Montrose)
Hardie, J.Keir (Merthyr Tydvil
Hardy,Laurence(Kent,Ashford
Harmsworth, Cecil B. (Worc'r.)
Harmsworth, R.L.(Caithn'ss-sh
Harrison-Broadley, H. B.
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Helme, Norval Watson
Helmsley, Viscount
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon.,S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hill, Sir Clement
Hills, J. W.
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Holland, Sir William Henry
Holt, Richard Durning
Hooper, A. G.
Horniman, Emslie John
Horridge, Thomas Gardner
Houston, Robert Paterson
Hudson, Walter
Hunt, Rowland
Hutton, Alfred Eddison
Hyde, Clarendon
Isaacs, Rufus Daniel
Jacoby, Sir James Alfred
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, William (Carnarvonshire
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D.
Kimber, Sir Henry
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lambert, George
Lambton, Hon. Frederick Wm.
Lamont, Norman
Layland-Barratt, Sir Francis
Lee,Arthur H.(Hants,Fareham
Leese,Sir Joseph F.(Accrington
Lever, A. Levy (Essex,Harwich

Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lockwood, Rt.Hn.Lt.-Col.A.R.
Long, Col.Charles W.(Evesham
Long, Rt.Hn.Walter (Dublin,S)
Lowe, Sir Francis William
Lupton, Arnold
Luttrell, Hugh Fownes
Lynch, H. B.
Lyttelton, Rt. Hon. Alfred
Macdonald, J. R. (Leicester)
Macdonald,J.M. (Falkirk B'ghs
Markarness, Frederic C.
Macnamara, Dr. Thomas J.
M'Arthur, Charles
M'Callum, John M.
M'Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Magnus, Sir Philip
Manfield, Harry (Northants)
Marks,G.Croydon (Launceston)
Marks, H. H. (Kent)
Marnham, F. J.
Mason, James F. (Windsor)
Massie, J.
Masterman, C. F. G.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Montagu, Hon. E. S.
Montgomery, H. G.
Morgan, G. Hay (Cornwall)
Morpeth, Viscount
Morrison-Bell, Captain
Morton, Alpheus Cleophas
Murray,Capt.Hn A C.(Kincard)
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Nicholson,Charles N.(Doncast'r
Nicholson, Wm.G. (Petersfield)
Nield, Herbert
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
O'Grady, J.
Parker, James (Halifax)
Partington, Oswald
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Pearson, W.H.M. (Suffolk,Eye)
Pease,Herbert Pike(Darlington
Philipps,Col.Ivor (S'thampton)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Price, C. E. (Edinb'gh, Central)
Price,Sir Robert J.(Norfolk,E.)
Priestley,W.E.B. (Bradford,E.)
Radford, G. H.
Rainy, A. Rolland
Ratcliff, Major R. F.
Rea, Walter Russell (Scarboro')
Rees, J. D.
Remnant, James Farquharson
Renton, Leslie
Renwick, George
Richards,Thomas (W.Monm'th
Richards, T. F.(Wolverh'mpt'n
Richardson, A.
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Roberts,Sir JohnH.(Denbighs.)
Roberts, S. (Sheffield,Ecclesall)
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rogers, F. E. Newman
Ronaldshay, Earl of
Rose, Charles Day
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Salter, Arthur Clavell
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann, Sir C.E.(Manchester)
Scott,A.H. (Ashton under Lyne
Scott, Sir S. (Marylebone, W.)
Seaverns, J. H.
Seddon, J.
Seely, Colonel
Shackleton, David James
Shaw, Charles Edw. (Stafford)
Shaw, Rt. Hon. T. (Hawick, B
Sherwell, Arthur James
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanier, Beville
Stanley, Hn.A.Lyulph (Chesh.)
Starkey, John R.
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Summerbell, T.
Sutherland, J. E.
Talbot, Lord E. (Chichester)
Taylor, Theodore C. (Radcliffe)
Tennant,Sir Edward (Salisbury
Tennant, H. J. (Berwickshire)
Thomas, Sir A. (Glamorgan,E.)
Thomasson, Franklin
Thompson, J.W.H.(Somerset,E
Thomson, W.Mitchell-(Lanark)
Thorne, G. R. (Wolverhampton
Thornton, Percy M.
Trevelyan, Charles Philips
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Walker, Col.W.H. (Lancashire)
Walrond, Hon. Lionel
Walsh, Stephen
Walters, John Tudor
Walton, Joseph
Ward,W.Dudley (Southampt'n
Warde, Col. C. E. (Kent, Mid)
Wardle, George J.
Wason,Dt.Hn.E (Clackmannan
Wason,John Cathcart (Orkney)
Watt, Henry A.
Whitbread, Howard
White, Sir George (Norfolk)
White, J. D. (Dumbartonshire)
White, Tuke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker,Rt.Hn SirThomasP.
Wiles, Thomas
Wilkie, Alexander
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Williamson, A.
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, J. W. (Worcestersh.N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wodehouse, Lord
Wood, T. M'Kinnon
Wyndham, Rt. Hon. George
Young, Samuel

TELLERS FOR THE NOES—Mr. Joseph Pease and Master of Elibank.

And, it being after half-past Ten of the Clock, the CHAIRMAN proceeded, pursuant to the Order of the House of 17th July, to put forthwith the Question necessary to dispose of the Business to be concluded this day.

Question put, "That the clause, as amended, stand part of the Bill."

The Committee divided:—Ayes, 317; Noes, 91. (Division List No. 328.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Agar-Robartes, Hon. T. C. R.
Agnew, George William
Ainsworth, John Stirling
Alden, Percy

Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Asquith, Rt. Hn. Herbert Henry
Astbury, John Meir
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beaumont, Hon. Hubert
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Belloc, Hilaire Joseph Peter R.
Birrell, Rt. Hon. Augustine
Black, Arthur W.
Boulton, A. C. F.
Bowerman, C. W.
Brace, Wiliam
Bramsdon, T. A.
Branch, James
Brigg, John
Brocklehurst, W. B.
Brodie, H. C.
Brunner, J. F. L. (Lancs., Leigh)
Bryce, J. Annan
Buchanan, Thomas Ryburn
Burt, Rt. Hon. Thomas
Butcher, Samuel Henry
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Cave, George
Cawley, Sir Frederick
Chamberlain, Rt Hn. J. A. (Worc.
Channing, Sir Francis Allston
Cheetham, John Frederick
Churchill, Rt. Hon. Winston S.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W.
Compton-Rickett, Sir J.
Corbett, C H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth)
Crooks, William
Crosfield, A. H.
Cross, Alexander
Crossley, William J.
Curran, Peter Francis
Dalmeny, Lord
Davies, David (Montgomery Co.
Davies, M. Vaughan- (Cardigan
Davies, Timothy (Fulham)
Davies, Sir W. Howell (Bristol, S.
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras, N.
Dobson, Thomas W.
Duckworth, James
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne, Major E. Martin (Walsall
Edwards, Enoch (Hanley)
Edwards, Sir Francis (Radnor)
Ellis, Rt. Hon. John Edward
Erskine, David C.
Essex, R. W.
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Findlay, Alexander
Foster, Rt. Hon. Sir Walter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Glen-Coats, Sir T. (Renfrew, W.
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Guest, Hon. Ivor Churchill
Gulland, John W.
Gurdon, Rt Hn. Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardie, J. Keir (Merthyr Tydvil)
Harmsworth, Cecil B. (Worc'r)
Harmsworth, R L. (Caithn'ss-sh.
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey, W. E. (Derbyshire, N. E
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Holland, Sir William Henry
Holt, Richard Durning
Hooper, A. G.
Hope, W. Bateman (Somerset, N.
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Isaacs, Rufus Daniel
Jacoby, Sir James Alfred
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Joynson-Hicks, William
Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster)
Lambert, George
Lambton, Hon. Frederick Wm.
Lamont, Norman
Lane-Fox, G. R.
Layland-Barratt, Sir Francis
Leese, Sir Joseph F. (Accrington
Lever, A. Levy (Essex, Harwich)
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Rt. Hon. Thomas
Lupton, Arnold
Luttrell, Hugh Fownes
Lynch, H. B.
Lyttelton, Rt. Hon. Alfred
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk B'ghs.
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah (Down, S.
M'Callum, John M.
M'Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Manfield, Harry (Northants)
Marks, G. Croydon (Launceston)
Marnham, F. J.
Mason, A. E. W. (Coventry)
Massie, J.
Masterman, C. F. G.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Montagu, Hon. E. S.
Montgomery, H. G.
Morgan, G. Hay (Cornwall)
Morrell, Philip
Morton, Alpheus Cleophas
Murray, Capt. Hn A. C. (Kincard.
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Nicholson, Charles N. (Doncast'r
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
O'Grady, J.
Parker, James (Halifax)
Partington, Oswald
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Pearson, W. H. M. (Suffolk, Eye)
Philipps, Col. Ivor (S'thampton)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Price, C. E. (Edinb'gh, Central)
Price, Sir Robert J. (Norfolk, E.)
Priestley, W. E. B. (Bradford, E.)
Radford, G. H.
Rainy, A. Rolland
Rawlinson, John Frederick Peel

Rea, Walter Russell (Scarboro')
Rees, J. D.
Richards, Thomas (W.Monm'th
Richards, T.F. (Wolverh'mpt'n
Richardson, A.
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Roberts, Sir John H. (Denbighs.)
Roberts, S. (Sheffield, Ecclesall)
Robertson, Sir G. Scott (Bradf'rd
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rogers, F. E. Newman
Rose, Charles Day
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann, Sir C.E. (Manchester)
Scott, A.H. (Ashton under Lyne
Seaverns, J. H.
Seddon, J.
Seely, Colonel
Shackleton, David James
Shaw, Charles Edw. (Stafford)
Shaw, Rt. Hon. T. (Hawick B.)
Sherwell, Arthur James
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn. A. Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Summerbell, T.
Sutherland, J. E.
Talbot, Rt. Hn. J. G. (Oxf'd Univ.
Tennant, Sir Edward (Salisbury
Tennant, H. J. (Berwickshire)
Thomas, Sir A. (Glamorgan, E.)
Thomasson, Franklin
Thompson, J. W. H. (Somerset, E
Thorne, G. R. (Wolverhampton)
Trevelyan, Charles Philips
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Walton, Joseph
Ward, W. Dudley (South'mpt'n
Wardle, George J.
Wason, Rt Hn. E. (Clackmannan
Wason, John Cathcart (Orkney
Waterlow, D. S.
Watt, Henry A.
White, Sir George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker, Rt Hn. Sir Thomas P.
Wiles, Thomas
Wilkie, Alexander
Williams, J. (Glamorgan)
Williams, Llewelyn (Carmarth'n
Williams, Osmond (Merioneth)
Williamson, A.
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, J.W. (Worcestersh. N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wodehouse, Lord
Wood, T. M'Kinnon

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood, Rt Hn Sir Alex F.
Anson, Sir William Reynell
Arkwright, John Stanhope
Ashley, W. W.
Balcarres, Lord
Baldwin, Stanley
Balfour, Rt Hn. A. J. (City Lond.)
Banbury, Sir Frederick George
Banner, John S. Harmood-
Baring, Capt. Hn. G (Winchester
Barrie, H.T. (Londonderry, N.)
Beach, Hn. Michael Hugh Hicks-
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Campbell, Rt. Hon. J. H. M.
Carlile, E. Hildred
Castlereagh, Viscount
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Clive, Percy Archer
Collings, Rt. Hn. J. (Birmingh'm
Courthope, G. Loyd
Craig, Charles Curtis (Antrim, S.)
Craik, Sir Henry
Doughty, Sir George
Du Cros, Arthur Philip
Duncan, Robert (Lanark, Govan
Faber, George Denison (York)
Faber, Capt. W. V. (Hants, W.)
Fardell, Sir T. George
Fell, Arthur
Fletcher, J. S.
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Gooch, Henry Cubitt (Peckham)
Goulding, Edward Alfred
Gretton, John
Guinness, Hn. R. (Haggerston)
Guinness, W.E. (Bury S. Edm.)
Harrison-Broadley, H. B.
Helmsley, Viscount
Hill, Sir Clement
Hills, J. W.
Houston, Robert Paterson
Hunt, Rowland
Keswick, William
Kimber, Sir Henry
King, Sir Henry Seymour (Hull)
Lee, Arthur H. (Hants, Fareham
Lockwood, Rt. Hn. Lt-Col. A. R.
Long, Col. Charles W. (Evesham
Long, Rt. Hn. Walter (Dublin, S.
Lowe, Sir Francis William
M'Arthur, Charles
Magnus, Sir Philip
Markham, Arthur Basil
Marks, H. H. (Kent)
Mason, James F. (Windsor)
Meysey-Thompson, E. C.
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
Percy, Earl
Ratcliff, Major R. F.
Remnant, James Farquharson
Renton, Leslie
Renwick, George
Ronaldshay, Earl of
Rutherford, W. W. (Liverpool)
Scott, Sir S. (Marylebone, W.)
Smith, F.E. (Liverpool, Walton)
Stanier, Beville
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.)
Talbot, Lord E. (Chichester)
Thomson, W. Mitchell- (Lanark)
Thornton, Percy M.
Valentia, Viscount
Walker, Col. W.H. (Lancashire)
Walrond, Hon. Lionel
Warde, Col. C. E. (Kent, Mid.)
White, Patrick (Meath, North)
Wilson, A. Stanley (York, E.R.)
Winterton, Earl
Wyndham, Rt. Hon. George
Young, Samuel

TELLERS FOR THE NOES—Mr. Samuel Roberts and Mr. Salter.

Committee report Progress; to sit again To-morrow.

Whereupon Mr. SPEAKER, pursuant to the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at six minutes before Eleven o'clock.

HOUSE OF LORDS.

Thursday, 5th November, 1908.

RETURNS, REPORTS, ETC.

TRADE REPORTS: ANNUAL SERIES.

No. 4161. Bahrain Islands, 1907–1908.

No. 4163. Russia (Budget Report for 1908).

HISTORICAL MANUSCRIPTS (ROYAL COMMISSION).

Report on Manuscripts in Various Collections, Vol. VI.: The Manuscripts of Miss M. Eyre Matcham, Captain H. V. Knox, Mrs. Wykeham-Martin, etc.

Presented (by Command), and ordered to lie on the Table.

UNIVERSITIES OF OXFORD AND CAMBRIDGE ACT, 1877.

Statute made by the Governing Body of Christ Church, Oxford, on 25th June, 1908, amending Statute XVI., Clause 9, of the Statutes of the House. Statute made by the Governing Body of All Souls College, Oxford, on 4th July, 1908, and sealed on 11th July, 1908, altering and amending Statute III., Clause 7, of the Statutes of the College.

Laid before the House (pursuant to Act), and to be printed. [No. 221.]

LAW OF DISTRESS AMENDMENT BILL.

Order of the Day, for the House being again put into Committee, read.

LORD COURTNEY OF PENWITH: My Lords, in moving that the House do again resolve itself into Committee on this Bill, perhaps it might be convenient for me to recall how the case stands. It will be within the recollection of some of your Lordships that when the Bill was last in Committee a number of Amendments stood on the Paper in the name of the noble and learned Earl opposite, Lord Halsbury. Your Lordships agreed, on the Motion of the noble and learned Earl, to strike out important words which stood in the first part of Clause 1, but you did not proceed to put in the words which the noble and learned Earl recommended for your acceptance, because at that moment I interposed and said that after the Vote which had been taken it might be desirable to consider whether it would be worth while to proceed further with the Bill. I, thereupon, moved that the House resume. It is, however, felt by the promoters that the Bill, even with the acceptance of the noble and learned Earl's Amendments, would still be worthy of being placed on the Statute-book, and I therefore desire to proceed with it. I shall, of course, be willing to accept the first Amendment standing in the name of the noble and learned Earl, which your Lordships have in effect approved by the Amendment to which you agreed on the former occasion.

Moved, "That the House do now resolve itself into Committee."—(*Lord Courtney of Penwith.*)

On Question, Motion agreed to.

House in Committee accordingly.

[The Earl of ONSLOW in the Chair.]

Clause 1:

THE EARL OF HALSBURY explained that the Amendment to which the Committee agreed on the last occasion was in Clause 1, page 1, line 6, to leave out the words "any under-tenant, lodger, or other person not being the immediate tenant of such superior landlord." The Amendment which he now moved was really the complement of what the Committee then did, the object of omitting the words in question being to insert those standing in his name on the Paper.

Amendment moved—

"In page 1, line 6, to insert the words '(*a*) Any under tenant liable to pay by equal instalments not less often than every actual or customary quarter of a year a rent which would return in any whole year the full annual value of the premises or of such part thereof as is comprised in the under tenancy; or (*b*) any lodger; or (*c*) any other person whatsoever not being a tenant of the premises or of any part thereof, and not having any beneficial interest in any lease, under-lease or tenancy of the premises or of any part thereof.—(*The Earl of Halsbury.*)

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

THE LORD CHANCELLOR (Lord LOREBURN) asked whether his noble and learned friend meant to include all the words in the proposed Amendment. He understood that on the last occasion the noble and learned Earl stated that he did not press for the inclusion of the words "by equal instalments not less often than every actual or customary quarter of a year." Those words were unnecessary, as it could make no difference whether a man paid his rent half-yearly or quarterly. If the amendment of the law was good at all, it was surely unnecessary to depend upon the distinction whether the rent was paid twice a year or four times a year.

THE EARL OF HALSBURY said his noble and learned friend was mistaken in thinking that he had expressed any acquiescence in the words in question being omitted. On the contrary, he regarded the words as important for the protection of the superior landlord.

On Question, Amendment agreed to.

Consequential Amendments agreed to.

Clause, as amended, agreed to.

Clause 2:

Consequential Amendments agreed to.

Clause, as amended, agreed to.

Clause 3:

Consequential Amendments agreed to.

Clause, as amended, agreed to.

Clause 4:

THE EARL OF HALSBURY moved the addition of words to provide that the Bill should not apply to any live stock to which Section 29 of the Agricultural Holdings Act, 1908, applied. He thought the purpose of this Amendment would be obvious.

Amendment moved—

"In page 3, line 11, after the word 'thereof' to insert the words 'nor to any live stock to which Section 29 of the Agricultural Holdings Act, 1908, applies.'"—(*The Earl of Halsbury.*)

LORD COURTNEY OF PENWITH said that when the Bill was drafted the Agricultural Holdings Act, 1908, had not been passed, and therefore could not have been included. He accepted the Amendment.

On Question, Amendment agreed to.

LORD COURTNEY OF PENWITH expressed his readiness to accept the Amendment standing in the name of Lord Avebury, and in the absence of his noble friend he would himself move it. The Amendment did not interfere with the principle of the Bill, but provided for circumstances under which the under-tenant and the tenant were associated together, so that one might be reasonably supposed to be acquainted with the tenancy of the other.

Amendment moved—

"In page 3, line 11, after the word 'thereof,' to insert the following new subsection: '(2) (*a*) To goods of a partner of the immediate tenant; (*b*) to goods (not being goods of a lodger) upon premises where any trade or business is carried on in which both the immediate tenant and the under tenant have an interest; (*c*) to goods (not being goods of a lodger) on premises used as offices or warehouses where the owner of the goods neglects for one calendar month after notice (which shall be given in like manner as a notice to quit) to remove the goods and vacate the premises; (*d*) to goods belonging to and in the offices of any company or corporation on premises, the immediate tenant whereof is a director or officer, or in the employment of such company or corporation; (*e*) to goods of an under tenant (not being a lodger) who shall have become a tenant of premises without the consent of the superior landlord contrary to any lease or agreement under which the immediate tenant holds. Provided that it shall be competent for a stipendiary magistrate, or where there is no stipendiary magistrate, for two justices upon application by the under tenant or other person not being the immediate tenant of the superior landlord upon hearing the parties to determine whether any premises are in fact premises covered by (2) of this section.'"—(*Lord Courtney of Penwith.*)

On Question, Amendment agreed to.

Clause, as amended, agreed to.

THE EARL OF HALSBURY moved the insertion of a new clause, which, he thought, would commend itself to the noble Lord in charge of the Bill. It was only to provide that the new system of distress should not apply to an undertenancy which had been created contrary to the contract between the landlord and his immediate tenant.

Amendment moved—

"After Clause 4, to insert the following new clause: 5. This Act shall not apply to any under tenant, not being a lodger, where the under tenancy has been created in breach of any covenant or agreement in writing between the landlord and his immediate tenant, or where the under tenancy has been created contrary to the wish of the landlord in that behalf, expressed in writing and delivered at the premises within a reasonable time after the circumstances have come, or with due diligence would have come, to his knowledge." —(*The Earl of Halsbury.*)

On Question, Amendment agreed to.

Clause 5:

Consequential Amendments agreed to.

Clause, as amended, agreed to.

Clauses 6 and 7 agreed to.

LORD COURTNEY OF PENWITH moved the insertion of a new clause after Clause 7.

Amendment moved—

"After Clause 7, to insert the following new clause: 8. In this Act the words 'superior landlord' shall be deemed to include a landlord in cases where the goods seized are not those of an under tenant or lodger; and the words 'other person not being the immediate tenant of such superior landlord' shall be deemed to include a person having no interest in the land.' "—(*Lord Courtney of Penwith.*)

THE LORD CHANCELLOR expressed the hope that Lord Courtney would, before the next stage, reconsider the wording of this proposed new clause. He reminded the Committee that the Bill had been completely redrafted in their Lordships' House, with the object of avoiding deeming this and deeming that and all the horrors associated with legislation by reference. Yet this new clause provided that the words "superior landlord" should be deemed to include a landlord in cases where the goods seized were not those of an under tenant or lodger, and that the words "other person not being the immediate tenant of such superior landlord" should be deemed to include a person having no interest in the land. Surely this clause was a champion at deeming something to be that which it was not. He hoped the drafting would be reconsidered.

THE EARL OF HALSBURY entirely concurred with the criticism of his noble and learned friend.

LORD COURTNEY OF PENWITH said that the point now raised was different from that to which the attention of their Lordships was called on the former occasion. What was then complained of was legislation by reference, which made it necessary, in order to understand what was aimed at, to read one or more other Acts of Parliament. But, as the Bill now stood, there was no reference to any document outside the Bill itself. The proposed new clause which he had moved was due, he was afraid, to the imperfection of the English language, which made it impossible by the use of ordinary words to give full effect to what was designed. In order to do this it was necessary to enlarge in the way proposed the ordinary interpretation of the words landlord and tenant. He would, however, give attention to the matter before the next stage of the Bill.

On Question, Amendment agreed to.

Clause 8:

LORD ATKINSON moved an Amendment providing that the Bill should not apply to Ireland. He held that the operation and effect of the Bill would be wholly mischievous in Ireland in view of the great agrarian revolution that was going on there. The Bill was not confined to urban tenancies. If that were possible, it might not be so objectionable. The Bill extended to all tenancies, and, so far as he knew, was neither required nor desired in Ireland, and was unsuitable to the conditions in that country. The main effect of the Bill, as he understood it, was to confine the remedy of the landlord to distraint on the goods of the immediate tenant, and the whole value of distress for rent now was that the landlord could seize any goods on the demised premises. The noble Lord in charge of the Bill had said on the previous occasion that the landlord had his right of re-entry. What would be said if a man who hired a horse and carriage, a motor or a piano, retorted to the person from whom he hired, on being applied to for payment, "My dear sir, I won't pay you; I have an objection to doing so, but I will hand you back your property, and you are very lucky to get it"? Did the noble Lord know what the right of re-entry meant in Ireland? He had heard it said that getting a tenant out of possession in Ireland was more difficult than drawing a badger. A very large majority of the tenancies in Ireland were tenancies from year to year, and he was confident that noble Lords from Ireland would agree that there was no ejectment brought in that country that did not practically mean the loss of two years rent. Did the noble Lord in charge of the Bill regard that as a satisfactory remedy? A landlord, no more than any other man, could maintain himself and his family on the right of re-entry. What he wanted was his rent. In the greater part of Ireland the Bill would put a premium upon dishonesty, because, as a rule, the tenant had no capital that could be seized or got at save his stock, and if he chose to get rid of his stock, he could absolutely defy the landlord, at all events for eighteen months. But his real objection was that it discredited the whole process of distress on the goods on the premises. His noble and learned friend the Lord Chancellor had objected, on the former occasion, to what he described as "Robbing Peter to pay Paul;" but they might be perfectly certain that if Peter was saved from this plunder in the case of landlord and tenant, he would not submit to it in other matters. There was not at the present time a single public charge upon land as to which the Legislature had not thought it necessary to provide that the proceeds should be recoverable as rent by distress. By an Act of 6 & 7 Will. IV. this was provided as one of the means for the recovery of county cess; and when the Tithe Rent Charge Act was passed and tithes were commuted for a rent charge, one of the modes of recovery was by distress in the same way as rent. The same thing applied in regard to a number of other public charges, and it was very peculiar that the various Acts in which this policy was recognised were passed by great Liberal statesmen — Lord Melbourne, Lord Russell and Mr. Gladstone. The purchase annuities under the Purchase of Land Act, for instance, were recoverable by distress, and it was most unwise and impolitic, when there were now outstanding loans for £50,000,000 or £60,000,000, and would be, he trusted, loans for, perhaps, £100,000,000 more, to deprive the State of one single remedy for the recovery of those annuities. Tenants in Ireland had paid the annuities with praiseworthy regularity. The State had suffered no loss. This by no means meant that occasionally these persons had not been in default; but, happily, when they were in default no difficulty was experienced in selling them out and paying the arrears out of the proceeds. It would be well to retain the power to enable the officer of the State to seize the goods on a purchased farm; the purchasing tenant should be convinced that the payment of the annuity was inevitable. People were not so dull in Ireland that they would consent to be "robbed" to pay money to the English Exchequer, if they were not to be "robbed" to pay the landlord his rent. The rights of lodgers were protected under the Landlord and Tenant Act of 1860. The landlord could call upon a sub-tenant to pay his rent in discharge of the rent due from the immediate tenant; in addition to that, under Section 21, the sub-tenant could volunteer to pay to the head landlord, in discharge of the rent due to that head landlord by the immediate tenant, the rent which he (the sub-tenant) had contracted to pay to his immediate landlord. He had, therefore, ample power to protect himself, and that Act had been read to extend to any person who had lawful possession of the land. Therefore there was no difficulty in a sub-tenant ascertaining, on coming in, whether the rent of his landlord was due or not; and, if due, he could adopt the wise course of discharging it himself.

The Bill, therefore, was not called for in Ireland, and the only people it would serve were dishonest people.

Amendment moved—

"In page 3, line 27, after the word 'Scotland,' to insert the words 'or Ireland.'"—(*Lord Atkinson.*)

LORD COURTNEY OF PENWITH confessed he did not feel competent to follow the noble and learned Lord over his wide field of controversy. He regretted that it should be necessary to make any exceptions, but recognised that circumstances might require such exceptions in Ireland. Perhaps the noble and learned Lord would be content with the Amendment of which Lord Clonbrock had given notice, to the effect that—

"Nothing in this Act contained shall affect the law of distress in Ireland in relation to farming implements, crops, horses, cattle, sheep, or live stock of any description."

That Amendment would cut out ordinary agricultural tenancies. Another reason why Ireland should not be cut out of the Bill altogether was that the Lodgers Protection Act, although repealed by this Bill, would, if Ireland were exempted from this Bill, have to remain on the Statute-book because of its application to Ireland, and for that reason alone. But if the noble and learned Lord would be satisfied with Lord Clonbrock's Amendment, the Lodgers Act could be completely repealed.

LORD ATKINSON did not think the words of Lord Clonbrock's Amendment adequate. That Amendment did not confine the Bill to urban holdings. If agricultural holdings were placed outside the purview of the Bill, many of his objections would not apply.

THE LORD CHANCELLOR allowed that there were ample precedents for exceptional treatment of Ireland and suggested that the form of words should be deferred to the Report stage. When on a former occasion he said, "You should not rob Peter to pay Paul," it might be he was enunciating a doctrine that might be used in Ireland in the interests of disorder, but they had travelled a long way if a proposition justified by the Decalogue would have such effect. He adhered to the general doctrine that one person's goods should not be taken to satisfy the debts of another unless wrong was done by the person whose property was taken. The policy he had advocated and which involved a departure from existing law had not in its entirety found favour with their Lordships, but he desired to dissociate himself from the idea that he in any way wished to prevent the recovery of a just debt by one man from another; but the recovery should not be at the expense of a third person.

*THE MARQUESS OF LANSDOWNE: My Lords, I am glad to notice that the noble Lord in charge of the Bill is inclined to meet my noble and learned friend behind me, to some extent, at all events, on this point; and if we are to choose between the Amendment which stands in the name of Lord Clonbrock and that which stands in the name of my noble and learned friend behind me, I have no objection whatever to reserve judgment until the further stage of the Bill. But I hope noble Lords opposite will understand that this is a point to which we attach great importance. The noble and learned Lord the Lord Chancellor admitted, a moment ago, that we were constantly in the habit of dealing with Ireland in a different way from other parts of the United Kingdom. That is very true. Only last night, as your Lordships will remember, it was proposed, in the measure we were then discussing, that the age up to which children should have a certain prohibition placed upon them should be different in Ireland from the English limit. But in this case there are very special reasons why we should deal differently with Ireland. The Irish land system, as we all know, is entirely different from the English land system; and, judging from announcements which have been made elsewhere, we are to have a fresh instalment of Irish land legislation within a few weeks. Surely such a moment is not well chosen for introducing, by a side wind, a fresh change in the law relating to the recovery of rent. This Bill, in the opinion of all who are competent to express an opinion, would lend itself readily to a kind of fraud which is very easily perpetrated in Ireland. It is notorious that broken-down tenants in that country resort to this very expedient of making away with their cattle or exchanging them with their neighbours in order to evade the law. I ask your Lordships further to remember this. In other parts of the United Kingdom a landlord has the means of getting rid of a broken-down tenant or a hopelessly bad farmer. My noble friend the President of the Board of Agriculture will remember that a few days ago one of his Commissioners published a report in regard to small holdings, in which he dwelt upon the extreme necessity of selecting carefully the tenants who were to be entrusted with small holdings. We, in Ireland, have no power to select our tenants. We have to make the best we can of the tenants we have, and we are powerless to prevent a broken-down and dishonest tenant from establishing himself on his farm and deliberately defrauding his landlord. There is, therefore, a very strong case indeed for dealing specially with Ireland. My noble friend has shown conclusively that in this case not only rent, but county cess, tithe-rent charge, and poor rates, and even the purchase annuities under the Land Act of 1903, will be made infinitely more difficult to recover if the Bill is passed in its present form. I therefore hope that your Lordships will, on Report, insert, in one form or another, words which will prevent legislation of which advantage could be taken in Ireland for the purpose of defrauding those who are recovering either rent or public charges of any kind.

Lord ATKINSON intimated his willingness to withdraw his Amendment until the Report stage. What they really wanted, beyond anything else, was to exclude agricultural holdings.

Amendment, by leave, withdrawn.

Standing Committee negatived.

Bill to be printed as amended. [No. 222.]

LEGISLATION BY REFERENCE.

The Earl of CAMPERDOWN: My Lords, I rise to ask whether the Government will, during the present session, cause a full explanatory statement to be circulated in regard to the effect of the clauses of any Bill which contains references to Acts of Parliament. On 18th June I ventured to call your Lordships' attention to the practice of legislation by reference, and to the troublesome and mischievous consequences of that practice to all whose fate it is to read Bills drawn in that manner. The House appeared to agree with me, and the noble and learned Lord on the Woolsack was so good as to say that if I would give him a few days to consider the matter he would see whether a joint Committee of the two Houses might be appointed for the purpose of considering the question. Nothing has been done since then. I do not in any way complain, because I know that His Majesty's Government have been very much occupied in a great many other ways. But, at the same time, we have to consider what remains of the present session. What is before us in the present session I wish I knew; and I am sure we shall be very much obliged to the noble Earl who leads the House if he will take some early opportunity of informing us what Bills we may expect. In the meantime I would say this, that if the Government propose to bring Bills to this House which contain a great deal of reference to other Acts of Parliament, I hope they will print, not merely the sort of memorandum usually attached to a Bill, but a full explanatory statement of the effect of the clauses upon existing legislation. I do not know whether the Town Planning Bill is likely to reach us, but if, by any chance, it should come up to your Lordships' House, I am sure it would take your Lordships a much longer time than remains between now and Christmas to understand it without some such explanatory statement. I therefore venture to ask the Question standing in my name.

The LORD CHANCELLOR: My Lords, I can assure the noble Earl that His Majesty's Government will do their best to give effect to his suggestion, especially in the case of Government Bills. There are at times, of course, references to Acts of Parliament which explain themselves, and also references to well-known provisions. I do not suppose that the noble Earl regards it as necessary to deal with those in the way proposed.

THE EARL OF CAMPERDOWN: Hear, hear.

THE LORD CHANCELLOR: I understand that what the noble Earl wants is elucidation and light with regard to the effect of important clauses. We will do our best to comply with his request.

BUSINESS OF THE HOUSE.

THE LORD PRIVY SEAL AND SECRETARY OF STATE FOR THE COLONIES (The Earl of CREWE): My Lords, it has been found, I am told, impossible to take the Report stage of the Children Bill on Monday, owing, I suppose, to some difficulties which have been experienced with regard to producing at so early a date the Amendments which were suggested. That leaves us without any business on the Paper for Monday. I think, therefore it would probably suit the convenience of your Lordships if the House were to be adjourned until Tuesday.

Moved, "That the House do adjourn until Tuesday except for judicial business."—(*The Earl of Crewe.*)

On Question, Motion agreed to.

House adjourned at twenty-five minutes past Five o'clock to Monday next, Eleven o'clock.

HOUSE OF COMMONS.

Thursday, 5th November, 1908.

The House met at a quarter before Three of the Clock.

PRIVATE BILL BUSINESS.

Kirkcaldy and Dysart Water Order Confirmation Bill) [Lords].—Considered; to be read the third time upon Monday next.

PETITIONS.

LICENSING BILL.

Petitions in favour: From Horley; and Bridge of Weir and other places; to lie upon the Table.

LOCAL GOVERNMENT (SCOTLAND) BILL.

Petition from Haddington, in favour; to lie upon the Table.

MONASTIC AND CONVENTUAL INSTITUTIONS.

Petition from inhabitants of Great Britain and Ireland, for legislation; to lie upon the Table.

POOR LAW AMENDMENT (SCOTLAND) BILL.

Petition from Haddington, in favour; to lie upon the Table.

RETURNS, REPORTS, ETC.

TRADE REPORTS (ANNUAL SERIES).

Copies presented, of Diplomatic and Consular Reports, Annual Series, Nos. 4161 and 4163 [by Command]; to lie upon the Table.

UNIVERSITIES OF OXFORD AND CAMBRIDGE ACT, 1877 (OXFORD).

Copy presented, of Statute made by the Governing Body of Christ Church, Oxford, on 25th June, 1908, amending Statute XVI., Clause 9, of the Statutes of the House; to lie upon the Table, and to be printed. [No. 317.]

HISTORICAL MANUSCRIPTS (ROYAL COMMISSION).

Copy presented, of Report on Manuscripts in Various Collections, Volume VI.: the Manuscripts of Miss M. Eyre-Matcham, Captain A. V. Knox, Mrs. Wykeham-Martin, etc. [by Command]; to lie upon the Table.

DISEASES OF ANIMALS ACTS, 1894 TO 1903.

Copy presented, of an Order, No. 7586, dated 29th October, 1908, relating to Animals being carried on the steamship "Minnesota" [by Act]; to lie upon the Table.

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Old-Age Pensions—Residence Abroad.

MR. VIVIAN (Birkenhead): To ask the President of the Local Government Board whether residence of three months or more out of the United Kingdom prevents an applicant from benefiting under the Pensions Act; and does a three months or more residence in the Isle of Man exclude an applicant from benefiting under the Act.

(*Answered by Mr. John Burns.*) An applicant for an old-age pension must, under Section 2 of the Old-Age Pensions Act, 1908, satisfy the pension authorities that for at least twenty years up to the date of the receipt of any sum on account of a pension he has had his residence, as defined by regulations under the Act, in the United Kingdom. The regulations provide for temporary absences during the period of twenty years being disregarded if the applicant's home has throughout the absences been in the United Kingdom and the aggregate of the absences since the beginning of the earliest of them does not exceed eight years. Residence in the Isle of Man is not for the purposes of the Act residence within the United Kingdom†.

Application for Loan from Surbiton District Council.

MR. CAVE (Surrey, Kingston): To ask the President of the Local Government Board whether his attention has been called to an application made by the Surbiton Urban District Council in July last for sanction for a loan for sewerage purposes; and whether, in view of the present lack of employment, he will accelerate the holding of an inquiry into the matter.

(*Answered by Mr. John Burns.*) Yes, Sir. Notices for an inquiry will be issued at once.

Treatment of Imprisoned Suffragists.

MR. SWIFT MACNEILL (Donegal, S.): To ask the Secretary of State for the Home Department whether the ladies now undergoing terms of imprisonment for offences arising out of the Suffragist agitation are only allowed each one towel, which has to serve for daily use and the weekly bath for a whole week, and one handkerchief for a whole week; whether they are only allowed a small tin basin for washing and that in the early morning, and are not allowed to wash their hands again during the day and whether, regard being had to the fact that such restrictions are calculated to be injurious to the health of the prisoners, and are of a humiliating character, there will be any and, if so, what modifications in their enforcement.

(*Answered by Mr. Secretary Gladstone.*) These prisoners are allowed one towel for cell use, and one for bathing. The normal allowance of handkerchiefs in the second division is one a week, but additional ones are issued on application, and have been issued in several instances to these prisoners. They are allowed to wash their hands as often as they like, and at 8 p.m. a bucket of hot water is supplied. These regulations cannot be regarded as either insanitary or humiliating.

Promotions to Postmasterships from Belfast Post Office Staff.

MR. SLOAN (Belfast, S.): To ask the Postmaster-General if he will state how many officers of the postal and telegraph staffs, respectively, at Belfast have been promoted to vacant postmasterships during the last twenty years.

(*Answered by Mr. Sydney Buxton.*) Twelve officers at Belfast have been appointed to postmasterships in the last twenty years. All these officers were employed on telegraph work.

Irish Qualified Teachers in English Schools.

MR. NANNETTI (Dublin, College Green): To ask the President of the Board of Education if he will state why it is that teachers trained in a training college in Dublin since 1900, and whose Irish diploma, forwarded on to them when they have fulfilled the prescribed conditions of training, including that of satisfactory probation as a teacher in a public elementary school for two years, are only recognised by the Board of Education in England as uncertificated and untrained teachers, and receive the salary of such, thereby depriving them of future promotion when the salary of the untrained maximum is reached unless they consent to become certificated and trained in an English college.

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† This Answer is substituted for that published on the preceding day.

(*Answered by Mr. Runciman.*) The hon. Member's Question, so far as I understand it, does not accurately represent the facts. A teacher who has been trained in a training college, and is reported by the Irish Commissioners of National Education to have passed the revised examination and to have received a diploma, is qualified for recognition as a certificated teacher by the Board of Education, provided no adverse report has been received from the Irish Commissioners. The code makes no distinction in this matter between "trained" and "untrained" teachers.

West Ham Distress Committee.

MR. W. THORNE (West Ham, S.): To ask the President of the Local Government Board if he is aware that the balance of over £8,000 in the hands of the West Ham distress committee was set aside for emigration; and whether he will give sanction for the money in question to be used by the distress committee for the purpose of finding work for the unemployed.

(*Answered by Mr. John Burns.*) The West Ham distress committee have considerable balances over from the grants made to them last year, mainly on account of the difficulties that arose in connection with emigration. I have already authorised the appropriation of £1,020 of these balances towards work in connection with the cleansing of the ornamental waters in Wanstead Park, and I will authorise further appropriations as soon as suitable schemes of work are before me.

Municipal Servants Holding Double Appointments.

MR. CLYNES (Manchester, N.E.): To ask the President of the Local Government Board whether he has information of the number of instances in which officials of local authorities occupying one well-paid position also fill other paid posts, to the exclusion of suitable persons who are kept unemployed; and whether he can take any step, by the issue of a circular or by legislation, more equitably and efficiently to distribute these branches of public employment.

(*Answered by Mr John Burns.*) I cannot state in how many cases officers of local authorities hold more than one paid office. In many instances in which they do so the aggregate of the salaries is not large, and the offices are of a kind which may with advantage be held together; but I agree in thinking that a number of local offices should not be concentrated in the hands of one man where other arrangements can be made, and especially where the combined remuneration is considerable. I do not think that I can intervene in the way suggested in the Question, but I am prepared to act on the view I have stated in cases in which the sanction of the Local Government Board is necessary. Indeed, I have already done so.

Assets and Liabilities of Local Authorities.

MR. SUMMERBELL (Sunderland): To ask the President of the Local Government Board if he can state approximately the total amount of the assets of the local authorities of the country as compared to the local debt at the present time, or at the latest date for which figures are available.

MR. WEDGWOOD (Newcastle-under-Lyme): To ask the President of the Local Government Board what is the total amount of the debt, and what is the total amount of assets of local authorities; and what the surplus of assets over debt amounts to in cases where actual valuation has taken place.

(*Answered by Mr. John Burns.*) Perhaps I may be allowed to answer these Questions together. The aggregate amount of the outstanding loans for all purposes of the local authorities in England and Wales was £564,645,200 at the end of the year 1905-6, the latest year for which the particulars are available. The total value of the assets of the local authorities cannot be given for purposes of comparison with the debt.

According to the Return relating to the indebtedness of the councils of boroughs, other than Metropolitan boroughs, in England and Wales, obtained in 1904, a value of 241 millions was set on the corporate property and undertakings on the 31st March, 1903, when the total amount of the outstanding loans of those councils was, according to the same Return, about 195 millions. The value of the assets was, however, estimated in different ways in different boroughs.

Importation of Foreign Meat.

MR. HUNT (Shropshire, Ludlow): To ask the President of the Local Government Board whether, in view of the fact that neither the regulations lately issued by the Local Government Board nor any other regulations prevent the importation and consumption of frozen, chilled, or tinned beef and mutton or of cured bacon or ham derived from tuberculous animals, and seeing that it is considered necessary that animals killed in this country suffering from this disease should not be allowed to be used as food, he will undertake to introduce legislation next session to protect the public from the danger of eating diseased imported foreign meat as well as from the danger of eating diseased meat of animals killed in this country.

(*Answered by Mr. John Burns.*) I do not think that it will be requisite to introduce legislation on this subject. It could be dealt with by regulations under the Public Health (Regulations as to Food) Act, 1907, should it be found needful to do so. I have already issued regulations under the Act as regards fresh pork coming from abroad, but I doubt whether there is the same need for regulations as respects cured bacon or ham. As regards beef and mutton, I understand that the requirements of foreign meat inspection are, as respects this class of meat, comparable with British standards, so that at present it does not seem necessary to issue regulations with regard to it. But if it should be found that tuberculous beef and mutton were being introduced into this country owing to laxity of inspection abroad I should be prepared to reconsider the matter.

Unemployment—Work for Persons engaged during Summer Months.

MR. MYER (Lambeth, N.): To ask the President of the Local Government Board if, in considering any scheme for the permanent dealing with unemployment, he will obtain a census of workpeople engaged from May to October in hay making, harvesting, fruit picking, vegetable gardening, hop picking, and brick making, within a radius of 50 miles of London, or say an area of 10,000 square miles; and will he ascertain if these workers migrate during the winter months into the poorer districts of London, thereby accentuating unemployment and distress.

(*Answered by Mr. John Burns.*) I will consider the suggestion of my honourable friend, but there would be considerable difficulty in taking a census of the kind contemplated by him, and I doubt whether the information obtained would be of sufficient value to justify the expense which would be involved.

Scottish Trawling Bill.

MR. PIRIE (Aberdeen, N.): To ask the Secretary for Scotland whether, in the event of the Second Reading of Trawling in Prohibited Areas Prevention Bill passing this House, it is the intention of the Government to refer the Committee stage to a Committee of the Whole House or to the Scottish Grand Committee.

(*Answered by Mr. Sinclair.*) Any such intention will be made known before the debate on Second Reading comes to an end.

Scottish Education Department.

MR. PIRIE: To ask the Secretary for Scotland if he will state the number of officials and staff employed in the Scottish Education Department respectively in London and in Edinburgh, the respective annual cost, and the salaries paid to the two branches; and if he would grant a simple Return, before the Report stage of the Education (Scotland) Bill is taken, giving details of the personnel of the Department, specifying positions, length of service, and salaries of the staff of the Department.

(*Answered by Mr. Sinclair.*) The total number of officers on the permanent establishment of the Scottish Education Department, exclusive of the inspectorate and of the staff of the Royal Scottish Museum, is in London 50 and in Edinburgh 14. The salaries of these officers amount in the aggregate to £13,770 and £3,818 respectively. If, however, account is taken of all officers of the Department in Scotland and London respectively the numbers are:—Officers: London 50, Scotland 118. Salaries: London £13,770, Scotland £40,300. As regards the Return asked for by my honourable friend, the greater part of the information desired is already given in the Annual Estimates of the Department and in various publications, and I do not think that in these circumstances a Return is necessary.

Stonehouse (Lanark) Parish Manse.

MR. MENZIES (Lanarkshire, S.): To ask the Secretary for Scotland, in view of the action of the heritors of Stonehouse, in Lanarkshire, again relieving themselves of part of the expense of building a parish manse by imposing it upon the small feuars and leaseholders (under Section 11 of the Ecclesiastical Assessments (Scotland) Act, 1900), whether he will take any action in the matter by repealing that Act, or otherwise, in order to relieve these poor people of a tax for a church in which, for the most part, they have no interest.

(*Answered by Mr. Sinclair.*) As my honourable friend is aware, the terms of a Resolution moved by the Member for East Edinburgh, which was debated in this House in February of last year, indicated the direction in which legislation is desirable, and was assented to by the Government. I am unable, however, at the present moment to give any undertaking as to legislation.

New Scottish Fishery Cruiser.

MAJOR ANSTRUTHER-GRAY (St. Andrew's Burghs): To ask the Secretary for Scotland whether he can yet state the probable date of the launching of the new Scotch fishery cruiser; and whether he is taking any steps to further supplement this fleet.

(*Answered by Mr. Sinclair.*) It is not yet possible to name any date. The Fishery Board do not at present contemplate any further addition to the fleet.

Leinster Winter Assizes.

MR. LONSDALE (Armagh, Mid.): To ask Mr. Attorney-General for Ireland where the forthcoming Winter Assizes for the province of Leinster are to be held.

(*Answered by Mr. Birrell.*) The forthcoming Leinster Winter Assizes will be held at Green Street Court-house, Dublin.

Small Holdings Compensation.

SIR F. CAWLEY (Lancashire, Prestwich): To ask the honourable Member for South Somerset, as representing the President of the Board of Agriculture, whether it is the practice of the Commissioners under the Small Holdings Act to give compensation to a tenant farmer who has had his land taken for the purpose of creating a small holding.

(*Answered by Sir Edward Strachey.*) The case contemplated by the honourable baronet has not arisen.

Army Pensions.

MR. CARLILE (Hertfordshire, St. Albans): To ask the Secretary of State for War what are the details of the arrangement made with boards of guardians to draw the quarterly pensions due to Army pensioners who have resort to the Poor Law in order that they may be paid to the pensioners by weekly instalments; and whether pensioners must acquiesce in this method of receiving their allowances.

(*Answered by Mr. Secretary Haldane.*) When the guardians decide to pay a pensioner monthly or weekly they inform either the War Office or the accountant paying the pension. The quarterly payments are then made to the guardians, who arrange for the payment of the instalments to the pensioner. The War Office does not obtain the pensioner's acquiescence.

Army Horses.

MR. LONSDALE: To ask the Secretary of State for War, whether a scheme has yet been evolved for the supply of horses for the Army in war and peace; and whether he is in a position to give any information in reference to the matter.

(*Answered by Mr. Secretary Haldane.*) As I informed the House last Monday, the matter is engaging my close attention, but I am not yet able to make any statement on the subject.

German Cavalry Arms.

MAJOR ANSTRUTHER-GRAY: To ask the Secretary of State for War whether his attention has been called to the new firearm about to be issued to German cavalry; and whether he has any information as to its merits compared with the rifle issued to British troops.

(*Answered by Mr. Secretary Haldane.*) The German cavalry have been experimenting with a new carbine during the past training season, but no information has so far been published officially regarding the weapon.

The Pointed Bullet.

MR. HUNT: To ask the Secretary of State for War whether experiments have been tried as to the serious wounds caused by the new pointed bullet adopted by some other countries; and whether it is found that these bullets not only have a greater smashing effect, but also that on striking, the base of the bullet turns upwards and inflicts a very much more serious wound than the ordinary bullet now used in the government rifle.

(*Answered by Mr. Secretary Haldane.*) Experiments with various bullets have from time to time been carried out to ascertain the nature of wounds caused at various velocities and ranges. I think it wiser not to publish at present any of the information obtained.

Small Arms Committee.

MR. GUY WILSON (Hull): To ask the Secretary of State for War whether the Small Arms Committee is allowed to discuss any question which as not been directly referred to it by the Master-General of the Ordnance through the Director of Artillery; and, if not, whether he will take steps to give the Small Arms Committee a free hand in carrying out its experiments with high-velocity bullets and ammunition.

(*Answered by Mr. Secretary-Haldane.*) The reply is in the negative. It is not practicable to give any Committee a free hand to carry out experiments which involve expenditure without definite authority and guidance.

High Velocity Ammunition.

MR. GUY WILSON: To ask the Secretary of State for War whether the Small Arms Committee has only been allowed to try and find high-velocity ammunition suitable for the present breech action and weak Lee bolt; and that the question as to whether the breech action of the Government rifle is sufficiently strong and suitable in all respects has never been referred to them.

(*Answered by Mr. Secretary-Haldane.*) The Small Arms Committee has only considered the high-velocity ammunition for the present service rifle. There is no intention of altering that rifle, which is sufficiently strong and suitable for the purposes for which it is required.

Constitution of the Small Arms Committee.

MR. GUY WILSON: To ask the Secretary of State for War in view of the fact that the Master-General of Ordnance, the Director of Artillery, the Secretary to the Small Arms Committee, and the entire War Office staff responsible for providing our cavalry and infantry with a suitable rifle, are Royal Artillery officers, whether he will appoint an independent Committee to inquire into the whole question of the supply of small arms and ammunition for the British Army.

(*Answered by Mr. Secretary-Haldane.*) The reply is in the negative. My hon. friend's suggestion is quite impracticable. As regards the suggestion contained in the Question that these matters rest entirely in the hands of Artillery officers, I need only refer my hon. friend to the composition of the Small Arms Committee, and further to that of the Army Council, who are the final authority responsible.

County Mayo Evicted Tenants.

MR. WILLIAM O'BRIEN (Cork): To ask the Chief-Secretary to the Lord-Lieutenant of Ireland how many applications for reinstatement have been received from evicted tenants in the County of Mayo; and if he will state why it is that, according to the latest Returns of the Estates Commissioners, no evicted tenant has been reinstated in the County of Mayo during the quarter ended 30th June last.

(*Answered by Mr. Birrell.*) Up to 30th September last 573 applications were received by the Estates Commissioners from persons seeking reinstatement as tenants, or the representatives of tenants, evicted from holdings in County Mayo. 125 of these applications were received after the date specified in the Evicted Tenants Act, 337 were refused after inquiry, eleven applicants have been reinstated or provided with other holdings, and the cases of the remaining 100 have been noted for consideration in the allotment of such untenanted land as the Commissioners may acquire. The Return to which the hon. Member refers is limited to tenants reinstated as purchasers on estates sold or proposed to be sold through the Commissioners, and the Commissioners are not aware that any tenants were so reinstated in County Mayo during the quarter ended 30th June last.

Neligan Estate, Blarney.

MR. SHEEHAN (Cork County, Mid.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the tenants on the Neligan Estate, at Blarney, County Cork, have been for the past three years paying the Estates Commissioners interest on their purchase money at the rate of 4 per cent. per annum, and that payment at this rate of interest is almost equivalent to their former rent; and, in the circumstances and considering the hardships inflicted on them whilst compelled to remain in their present position, will steps be taken to have this estate inspected forthwith and the vesting orders made in the case of these tenants.

(*Answered by Mr. Birrell.*) The purchase agreements on this estate were lodged in May, 1906. By these agreements the tenants undertook to pay interest in lieu of rent at 4 per cent. on the agreed price until the holdings are vested in them, and the Estates Commissioners are bound by statute to collect the interest and pay it over to the owner. The property will be inspected in its proper order of priority.

Service Pensioners in Irish Lunatic Asylums.

CAPTAIN DONELAN (Cork, E.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether stoppages made from the pensions of naval and military inmates of Irish district lunatic asylums, on account of the rate in aid, 4s. per head per week, allowed for patients confined therein, are refunded to the Treasury or to the Irish Local Taxation Account, from which latter account the rate in aid is now provided.

(*Answered by Mr. Hobhouse.*) The deductions are retained by the Paymaster-General, and consequently accrue to the benefit of the Exchequer.

H.M.S. "Lord Nelson."

MR. BELLAIRS (Lynn Regis): To ask the First Lord of the Admiralty whether the contract for the battleship "Lord Nelson" was placed in October, 1904; and, seeing that three years have now elapsed, whether he can state approximately when all dockyard or other workmen will be out of the ship and the ship take its place in the Nore Division of the Home Fleet.

(*Answered by Mr. McKenna.*) The answer to the first part of the hon. Member's Question is 19th November, 1904, and to the second part 13th December next.

Contracts for New Destroyers.

MR. BELLAIRS: To ask the First Lord of the Admiralty on what dates were the contracts placed for the destroyers "Ghurka" and "Afridi" of the 1905 programme; and if he can state, approximately, when all dockyard or other workmen will be out of those ships so that they can be exercised on service.

(*Answered by Mr. McKenna.*) On 30th August and 21st September, 1905, respectively. The answer to the second part of the hon. Member's Question is, "Ghurka" early in December, "Afridi" not until March next.

Contracts for Armoured Ships.

MR. BELLAIRS: To ask the First Lord of the Admiralty if he will state the dates on which the contracts were placed for the large armoured ships "Invincible" and "Inflexible"; and what is the approximate date when all dockyard or other workmen will be out of these ships and the latter joined up to the Nore Division of the Home Fleet.

(*Answered by Mr. McKenna.*) The Answer to the first part of the hon. Member's Question is, 21st November, 1905; and to the second part, "Invincible," February, 1909, "Inflexible," 12th December, 1908.

Delayed Shipbuilding.

MR. BELLAIRS: To ask the First Lord of the Admiralty if he is aware that ships are still building in this country which belong to the 1904 and 1905 programmes; and, in view of recent controversies concerning the rate of building in our own and foreign countries, whether he can point to a single battleship, cruiser, or destroyer, or any other type of vessel belonging to the German 1904 or 1905 programmes, which is not completed.

(*Answered by Mr. McKenna.*) The dates for the laying down of warships built in this country can be found in the programme portion of the published Navy Estimates. Similar information with regard to the German Navy is published in "Nauticus" (Yahrbuch fur Deutschlands Seeinteressen), a book which is issued annually and is on sale.

Prosecution of Cromarty Fishermen.

MR. WEIR (Ross and Cromarty): To ask the Lord-Advocate if he will explain why certain fishermen residing at Cromarty were recently summoned to appear first at Dingwall and subsequently at Tain in connection with offences alleged to have been committed at Cromarty within a quarter of a mile of the courthouse provided for the trying of local cases, especially bearing in mind that the Dingwall Sheriff attended at Cromarty and conducted business there only two days after the men were before the Court at Dingwall; and, seeing that the trial at Dingwall or Tain of offences committed at Cromarty imposes heavy expenses on defendants as well as on witnesses, will instructions be given for such cases to be taken at the courthouse at Cromarty in future.

(*Answered by Mr. Thomas Shaw.*) I have communicated on this subject with the Procurator-Fiscal and I await his Report, which has not yet been received. I am also in communication with the Sheriff of the county. Perhaps my hon. friend will put down the Question in a week's time.

Workmen's Compensation Act and Trade Unions.

MR. SUMMERBELL: To ask the Secretary of State for the Home Department if he is prepared to take steps to amend the statutory rules and orders for the administration of the Workmen's Compensation Act, in order to enable the duly authorised secretary of a registered trade union to act on behalf of a *bona fide* member of his union, or a dependant thereof, in any application made for or against his benefit under the Workmen's Compensation Act before a County Court Judge, or an official arbitrator, or an arbitration committee administering the said Act.

(*Answered by Mr. Secretary Gladstone.*) As regards representation of the injured workman, it is already provided, by Rule 33 of the Workmen's Compensation Rules, 1907, that a party to an arbitration may be represented, with leave of the judge or arbitrator, by any officer or member of any society or other body or persons of which such party is a member or with which he is connected. As regards cases where the dependants of a deceased workman are a party to the arbitration, I am informed by the chairman of the Rules Committee of County Court Judges that he has never heard of any objection having been raised by any judge or arbitrator to the representation of the dependants by an official of a society with which the deceased workman was connected. An amendment of the rule, however, which will expressly authorise such representation of the dependants, will be brought before the Rules Committee. The rules of Court under the Act are made by the Rules Committee of County Court Judges with the approval of the Lord Chancellor, and are not within my jurisdiction. But if the hon. Member will communicate to me any cases that have come to his knowledge in which difficulties have been experienced, I shall be glad to consider them and make any representations necessary to the Lord Chancellor.

Ingrave Shooting Case.

MR. SUMMERBELL: To ask the Secretary of State for the Home Department if his attention has been called to the shooting of a child named Emily Cullum, aged eleven years, at Ingrave, by a boy named Ernest Biggs, aged twelve and a half years, by firing off a rifle used for the scaring of birds; and, if so, can he state whether he is prepared to take steps to prevent the giving of loaded firearms by employers to boys of such tender years.

To ask the Secretary of State for the Home Department if his attention has been called to the remarks of Mr. Justice Grantham in sentencing a boy of twelve and a half years to three months' imprisonment at Ingrave, namely, that it was fortunate for the employer there were no means of putting him into the dock, for the life of the child was sacrificed by his extraordinary conduct in giving the boy the rifle; and, if so, and in view of all the circumstances, can he state whether he is prepared to recommend the immediate discharge of the lad.

(*Answered by Mr. Secretary Gladstone.*) I will consider this case as soon as I am in possession of all the facts and have had time to consult the Judge, but I am not at present in a position to express any opinion about it.

Licensing Compensation.

MR. ARMITAGE (Leeds, Central): To ask the Secretary of State for the Home Department if he will state the total amount awarded as compensation for the suppression of superfluous licences since the coming into force of the Licensing Act, 1904, down to the present time; and how much of this was paid to the actual licensees, distinguishing as to the latter amount between sums paid to licensees who were merely tenants and those who were both tenants and owners.

(*Answered by Mr. Secretary Gladstone.*) I have no later or further information than that given in the Annual Volume of Licensing Statistics (*See*, for instance, page 5 of the Volume for 1907), which show that a total sum of £2,301,583 4s. 10d. was paid in compensation for licences extinguished in the years 1905, 1906, and 1907, and that, of the money which was paid in the years 1906 and 1907, a total sum of £241,004 9s. 3d. went to licence-holders and £1,947,343 19s. 8d. to other parties interested. I am unable to give figures distinguishing between licence-holders who were merely tenants and those who were both tenants and owners.

Soldiers in the Dock.

MR. CLAVELL SALTER (Hants, Basingstoke): To ask the Secretary of State for the Home Department whether he is aware that at the recent Quarter Sessions for Hampshire, soldiers who were on their trial for criminal offences were compelled to appear in the dock in prison dress; whether this practice is general and has been ordered or sanctioned by the Home Department; and whether, in view of the degradation and indignity involved, he will direct that in future soldiers placed upon their trial may be given the option of wearing civilian dress.

(*Answered by Mr. Secretary Gladstone.*) It is undesirable that soldiers should be placed in the dock wearing His Majesty's uniform. If they have other clothes fit to wear they are allowed to wear them, but if not they are supplied with clothes of the special kind supplied to other prisoners awaiting trial, when they do not wear their own, and quite different from those worn by convicted prisoners. This seems to me the best arrangement possible.

Spitalfields Market.

MR. B. S. STRAUS (Tower Hamlets, Mile End): To ask Mr. Attorney-General whether he contemplates that the pending action upon the question of the acquisition of the lessees' interest in Spitalfields Market will be disposed of in time to enable the Stepney Borough Council to exercise its option of purchase, or take a lease of the market within the period of six months after the expiration of ten years from the passing of the City of London (Spitalfield's Market) Act, 1902, and as contemplated by Section 20 of such Act.

(*Answered by Sir William Robson.*) I have every hope that the pending litigation will be determined in ample time to admit of the exercise by the borough council of Stepney of its option to acquire the interests of the corporation of London in Spitalfields Market should the borough council be desirous of acquiring them.

Land Club Union.

MR. BRODIE (Surrey, Reigate): To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether, having regard to the work that is being done by the Land Club Union in certain districts of Surrey and Kent in making inquiries as to the demand for land and in organising co-operation among the applicants, he will ask for the consent of the Treasury to make a grant to the union under Section 49 of the Small Holdings and Allotments Act, in order to enable it to extend its work.

(*Answered by Sir Edward Strachey.*) The power of making grants to societies of a local character is given to the county councils by subsection 2 of the section referred to, and the Board are therefore not prepared at present to adopt the suggestion of my hon. friend.

Swine Fever.

SIR W. J. COLLINS (St. Pancras, W.): To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, what has been the number of outbreaks of swine fever in each month of the current year. also the number of swine infected, the number slaughtered, and the amount of compensation paid; whether the experience of the Board suggests that swine fever can be stamped out by the methods of disease prevention employed with success in the case of other contagious diseases of animals; and whether he will cause further investigation to be made into the nature of the disease and the most effective means for checking its prevalence.

(*Answered by Sir Edward Strachey.*) No record is kept of the number of swine infected with swine fever, but the number of outbreaks of swine fever, the number of swine slaughtered, and the compensation paid during the current year in Great Britain are as follows—

Month.	Number of Outbreaks.	Swine Slaughtered.	Compensation.
			£
January - -	132	536	1,056
February - -	119	515	735
March - -	147	855	982
April - - -	157	1,015	844
May - - -	344	1,258	1,224
June - - -	293	1,889	1,857
July - - -	153	1,151	2,614
August - -	126	1,281	1,833
September - -	122	900	1,718
October - -	169	1,483	1,686

The experience of the Board does not suggest that swine fever cannot be eradicated by the methods which are now being adopted for its suppression. The veterinary officers of the Board are continuously engaged in carrying out investigations of the character indicated, and as a result of those investigations new Orders on the subject of swine fever were issued and came into operation on 1st June last.

Westerham Land Club.

MR. BRODIE: To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether he has received a Memorandum from Mr. A. Bird, Secretary of the Westerham Land Club, with respect to applications made to the Kent County Council by members of that club for small holdings under the Small Holdings and Allotments Act; whether he is aware that these applicants were offered land on the chalk hill above Westerham, without water or cottages and quite unsuitable for small holdings, at a rent of 35s. per acre, although there was other land both suitable and available in the parish, and that after the applicants had declined the offer of unsuitable land they were given to understand that their applications would be indefinitely postponed; and whether the Commissioners will make full inquiries into the matter.

(*Answered by Sir Edward Strachey.*) The Memorandum to which my hon. friend refers has been received, and full inquiry is being made into the matter.

Wilby Town Estates Charity.

MR. H. PEARSON (Suffolk, Eye): To ask the hon. Member for the Barnstaple division, as representing the Charity Commissioners, whether he is aware that the Wilby Parish Council, within the three months allowed by law, appealed against the order dealing with the Wilby Town Estates Charity, dated 2nd April, 1908; and, if so, on what ground their appeal was refused.

(*Answered by Mr. Soares.*) The appeal against a decision of the Charity Commissioners under the Local Government Act, 1894, provided for in Section 70 (2) of that Act, is to the High Court of Justice, and in the present case no such appea has been made. The Charity Commissioners in July last expressed their willingness to discharge the order if the parish council would furnish them with a resolution expressing their desire to have the order discharged. No such resolution has been communicated to the Commissioners.

MR. H. PEARSON: To ask the President of the Board of Education whether he is aware that the four-sevenths of the Wilby Town Estates Charity, having been allocated to the education rate by a determination order of the Charity Commissioners in the year 1903, is now lying at the bank unclaimed by the county council, and has been so lying since the year 1904; and, if so, what steps he proposes to take so that this money shall not continue to lie dormant.

(*Answered by Mr. Runciman.*) The Charity Commissioners by an order dated 20th January, 1903, under the Board of Education Act, 1899, determined that four-sevenths of the clear income of the Wilby Town Estates Charity, after payment of outgoings and expenses of management, is the part of the endowment of the charity which is held for or ought to be applied to educational purposes. The Board have intimated their willingness, with the consent of all parties, to establish a scheme which would provide for the application of the income so as to secure to poor children of the parish some special educational benefit. No application for a scheme has yet been made to the Board, but the Board would now be prepared to proceed with the preparation of a scheme so soon as application is made to them.

Accommodation in Elementary Schools.

MR. ARMITAGE: To ask the President of the Board of Education if he will state the earliest date at which he will be able to furnish statistics with regard to the accommodation in and attendance at public elementary schools during the school year ending 31st July, 1908.

(*Answered by Mr. Runciman.*) I think these figures will be available about the middle of December.

National Income and Expenditure.

Mr. HAROLD COX (Preston): To ask Mr. Chancellor of the Exchequer when he hopes to be able to publish the Return of Gross Income and Expenditure, ordered by this House in July last.

(*Answered by Mr. Lloyd-George.*) The Return is in the printers' hands and should be ready very shortly.

Inland Revenue Officials.

Mr. SEARS (Cheltenham): To ask Mr. Chancellor of the Exchequer how many officials have applied to the Board of Inland Revenue for permission to retire on superannuation, in order to take service under the county councils in connection with the transfer of the establishment, etc., licences; whether these applications have been granted; and, if not, why, in view of the anticipated reduction of the establishment owing to the amalgamation with the Customs, advantage has not been taken of offers which will bring about retirements without inflicting hardship on the officials.

(*Answered by Mr. Lloyd-George.*) As regards officers under sixty years of age, only two applications to retire in the circumstances mentioned have been received. In neither case, seeing that under the Old-Age Pensions Act excise officers will be fully employed for some time to come, were the Board in a position to submit the application to the Treasury, for the grant of a superannuation allowance on the ground which would alone be admissible in each case, namely, abolition of office.

Balloon Company, Royal Engineers.

Sir CHARLES McLAREN (Leicestershire, Bosworth): To ask the Secretary of State for War whether it is proposed to provide any equipment for the Balloon Company, Royal Engineers (Territorials), which has been raised under the Territorial Army scheme; and, if not, how the training of the company is to be carried out so as to fit them for their duties in the field, having regard to the difficulty of training a balloon company without apparatus of any kind.

(*Answered by Mr. Secretary Haldane.*) The Balloon Company will not receive technical stores. The training will be carried out on similar lines to that of other Territorial Force Engineer units. The ordinary drills and lectures will be carried out in London, lectures being substituted for drills at the discretion of the Territorial Division Commander. For mounted drills it is proposed that the wagons should be borrowed from the Telegraph Companies with which the Balloon Company is quartered. The annual and technical training in camp will be carried out at Aldershot or at some camp where the Regular Balloon Company is present to which the Territorial unit will be attached.

Service Rifles.

Mr. COURTHOPE (Sussex, Rye): To ask the Secretary of State for War what is the weight of the barrels without moveable appliances such as backsights, of the latest patterns of foreign and colonial service rifles other than Lee-Metford and Lee-Enfield.

(*Answered by Mr. Secretary Haldane.*) The information available is as follows:—

		lbs.	ozs.
Germany	Mauser, 1888	2	12
France	Lebel, 1886	2	8
U. S. A.	Krag Jorgensen, 1898	2	13
U. S. A.	Springfield, 1903	2	14
	Long Lee-Enfield	2	14
	Short Lee-Enfield	2	3

Employment of Artisans and Labourers at Cork Barracks.

Mr. WILLIAM O'BRIEN: To ask the Secretary of State for War whether a large number of carpenters, masons, plumbers, and other artisans and labourers who have been for years employed at the Cork barracks have received notice of immediate discharge; whether their places are to be taken by soldiers working at a much inferior rate of wages to the civilian mechanics; and, if so, whether, having regard to the Fair Wages Resolution of this House and to the distress prevalent in Cork at the present moment owing to unemployment, to provide for which the local authorities have been obliged to enter upon a large expenditure on public works, he will be good enough to direct that no change in the system of employment hitherto in force at the Cork barracks shall be made at least so long as the present emergency continues.

(*Answered by Mr. Secretary Haldane.*) The matter has been referred to the district for inquiry.

Horfield Barracks—Subletting of Contracts.

MR. HOWELL DAVIES (Bristol, S.): To ask the Secretary of State for War whether, in the contract work now proceeding at the Horfield Barracks, Bristol, the contractor has power to sub-contract stone-pointing; and, if so, whether he will consider the desirability of preventing such sub-letting in all future Government work.

(*Answered by Mr. Secretary Haldane.*) Inquiry will be made into the matter.

Provision of Uniforms for the Territorial Army.

SIR SEYMOUR KING (Hull, Central): To ask the Secretary of State for War whether the members of the Territorial Force are entitled to two suits of clothing, one of khaki, and one a full-dress for walking-out purposes; whether, although the force has been in existence for over seven months, only the suit of khaki has so far been issued; whether, as a consequence, many thousands of men went into camp with only one suit of uniform, and no change of clothing whatever; and whether, seeing that this is deleterious to health and likely to prove detrimental to security, he will say when the second suit is likely to be issued.

(*Answered by Mr. Secretary Haldane.*) The provision of clothing rests entirely with the County Associations, and no delay took place in placing at their disposal the funds necessary to provide the two suits authorised.

Director of Natural History Museum.

MR. SEARS: To ask the Prime Minister whether he is able to make any statement as to the filling of the vacant position of Director of the Natural History Museum, South Kensington, which has been vacant for the past six months; and will he state how the matter now stands.

(*Answered by Mr. Asquith.*) I am informed that the appointment to this post will be made shortly.

Scottish Legislation—The Trawling Bill.

MR. R. HARCOURT (Montrose Burghs): To ask the Prime Minister whether he is in a position to give an assurance that the discussion of the Irish land question, foreshadowed in his statement on Wednesday, will not involve any postponement of Scottish legislation; and, in particular, if he can now state whether the Trawling in Prohibited Areas Bill will be pressed through all its stages in this House during the present session.

(*Answered by Mr. Asquith.*) I have no reason to think that the discussion referred to will involve a postponement of Scottish legislation. Until after the Second Reading, I shall not be in a position to state what are the prospects of the Trawling Bill during the present session.

QUESTIONS IN THE HOUSE.

Dockyard Employees.

MR. MITCHELL-THOMSON (Lanarkshire, N.W.): I beg to ask the First Lord of the Admiralty whether he can state how many men were employed in the home dockyards on 30th November, 1905; how many men in similar employment are provided for in this year's Estimates; and how many additional men the Admiralty hope to employ in similar work as a result of the policy of the Government for the mitigation of the present distress.

THE FIRST LORD OF THE ADMIRALTY (Mr. MCKENNA, Monmouthshire, N.): The number of men employed in the home dockyards on 30th November, 1905, was 27,864. The average number provided for in the current Navy Estimates is 30,500—the total number borne on 17th October being 31,400. It is hoped that as a result of the Government policy for alleviating distress, employment until 31st March, 1909, will be found for an additional 2,100 men.

MR. CURRAN (Durham, Jarrow): Are there in any Government Departments, especially in the dockyards, any men engaged in working overtime?

MR. McKENNA: There are individual cases of overtime, but none is allowed unless under special circumstances and when absolutely necessary and under my personal sanction.

Silvertown Gutta Percha Works.

MR. W. THORNE (West Ham, S.): I beg to ask the First Lord of the Admiralty if he is aware that at Messrs. Silver's gutta percha works at Silvertown, who do a great deal of work for the various Government Departments, they are discharging the majority of trade unionists who belong to the Amalgamated Society of Engineers; and whether, in view of the Fair Wages Clause, he will have the matter investigated.

MR. McKENNA: The trade union referred to have made certain representations with regard to the Silvertown works, and have been requested to present the case to the Secretary of the Parliamentary Committee of the Trade Union Congress in accordance with the recognised procedure. Any alleged breach of the Fair Wages Clause of Admiralty contracts will be investigated at once on the matter being brought before the Board in due form.

MR. HUNT (Shropshire, Ludlow): In view of the increasing number of unemployed, can the Government say what steps the men can take in order to get sufficient employment?

MR. SPEAKER: Order, order.

The Channel and Home Fleets.

MR. GIBBS (Bristol, W.): I beg to ask the First Lord of the Admiralty whether the recent cruise of the Home Fleet constituted the first occasion on which the three divisions were so assembled together for training purposes.

MR. McKENNA: The reply to the hon. Member's Question is in the negative. The vessels of the Home Fleet were assembled for training purposes last year in August; they were also together during the July manœuvres of this year.

MR. DU CROS (Hastings): I beg to ask the First Lord of the Admiralty whether the number of ships actually present with the Channel Fleet on 2nd November last exceeded seven battleships, four armoured cruisers, two small cruisers, and ten destroyers; and, if so, to what extent.

MR. McKENNA: The vessels of the Channel Fleet present with the Commander-in-Chief on the 2nd November, were: seven battleships, three armoured cruisers, four other cruisers, one scout, nine destroyers.

MR. DU CROS: Does the right hon. Gentleman consider it "overwhelmingly safe" that the Channel Fleet should be constantly depleted of one-half of its strength?

MR. McKENNA: The hon. Member is under a misapprehension. Those battleships of the Channel Fleet not with the Commander-in-Chief at the time were left elsewhere by him in the proper exercise of his discretion. He left some at Portland and some elsewhere. I see no reason to interfere with his discretion.

EARL WINTERTON (Sussex, Horsham): Can the right hon. Gentleman say how many ships were actually at sea and how many were in dock?

MR. McKENNA: Four ships were refitting at that moment—one just completing. There other ships were elsewhere.

EARL WINTERTON: Am I right in supposing that none of the four ships, except the one just completing, would be ready for sea at forty-eight hours notice?

MR. McKENNA: No. Does the noble Lord consider that a battleship should never be refitted?

MR. HUNT: I beg to ask the First Lord of the Admiralty for how many days during the eight weeks ending on 26th October last the flag-ship of the Commander-in-Chief of the Home Fleet, the "Dreadnought," was at sea.

MR. MCKENNA: The answer to the hon. Member's Question is, twenty-one days.

MR. STAVELEY-HILL (Staffordshire, Kingswinford): I beg to ask the First Lord of the Admiralty whether, during the recent cruise of the Home Fleet, the three divisions then assembled comprised only nine battleships and eight cruisers out of twenty four battleships and twenty-two cruisers; will he state the whereabouts of the remaining ships, and why they were not available; and whether, seeing that less importance is now attached by the Admiralty to the retention of the Channel Fleet in its full strength, it was the intention to dispense with combined Fleet training.

MR. MCKENNA: During the period in question, there were in the Home Fleet, twenty-three battleships, eleven of them being special service vessels, and thirty-two cruisers, fifteen of them being special service vessels. The special service battleships and cruisers were not ordered to take part in the cruise, and were at their ports, except a few engaged in conveying relief crews to foreign stations. Of the remaining twelve battleships, ten were in company and two exercising independently. Of the seventeen cruisers, thirteen took part in the cruise, one was refitting, one was conveying reliefs to foreign stations, one was exercising independently, and one was at her home port after return from abroad. It is not intended to dispense with combined Fleet training as occasion requires it.

Non-grog Allowance in the Navy.

MR. GULLAND (Dumfries Burghs): I beg to ask the First Lord of the Admiralty whether he has now received the report of the inquiry promised by the late Secretary to the Admiralty as to the existing number of temperance men in one of the home ports and in two of the large sea-going Fleets, and as to the number of men who would be willing to go on the temperance list if the non-grog allowance was increased to 1d.; whether the promised recommendation has been approved by the Admiralty; and whether provision will be made in next year's Estimates for the increased allowance in lieu of grog.

MR. MCKENNA: Reports on this question were called for from the home ports, the Channel, Home, and Mediterranean Fleets, and the East Indies Squadron; 230 reports in all have been received and are now under consideration, but a final decision has not yet been arrived at.

Dartmouth Cadets' Examinations.

MR. BELLAIRS (Lynn Regis): I beg to ask the First Lord of the Admiralty whether the papers set to cadets passing out of Dartmouth in recent examinations have or have not been previously submitted in draft to the headmaster at Dartmouth.

MR MCKENNA: Yes, Sir.

MR. BELLAIRS: I beg to ask the First Lord of the Admiralty whether he will put an end to the practice of the masters at the Royal Naval College, Dartmouth, obtaining foreknowledge of questions the cadets are going to be asked; and will he undertake to withdraw the instruction to the examiners for the cadets, issued by the Director of Naval Education, which requires them to submit to the headmaster of the college the questions that they are going to ask.

MR. MCKENNA: No, Sir.

MR. BELLAIRS: Am I to understand that the headmaster of the college who is responsible for the system of education is to have prior knowledge of all the questions to be asked by the examiners?

MR. MCKENNA: In accordance with the practice which prevails at all the modern Universities, English, Scottish, and Welsh, and the schemes which are being adopted at the old Universities, it is proposed that the headmaster should combine with the examiners.

MR. BELLAIRS: Is the right hon. Gentleman aware that the questions leak out, and that it is a matter of open scandal?

Mr. McKENNA: No, Sir. I know it to be absolutely unfounded.

Mr. BOWLES (Lambeth, Norwood): Is the House to understand that a full knowledge of the questions is confined to the headmaster, or is it shared by other masters?

Mr. McKENNA: That would be in the discretion of the headmaster.

Mr. ASHLEY (Lancashire, Blackpool): Will the right hon. Gentleman say what purpose is served by giving the headmaster a knowledge of these questions?

Mr. McKENNA: In a case of this kind, where there is no competition between outside boys and the boys at Dartmouth, great advantage is obtained by the examiners being placed in communication with the headmaster. A system of examination by the headmaster alone is in practice in many of these schools; but an external examiner has been called in on the present occasion. I accept full responsibility.

Naval Classification.

Mr. BELLAIRS: I beg to ask the First Lord of the Admiralty whether he is aware that the "Inflexible" and "Indomitable" are classed as battleships on page 270 of the Navy List and as armoured cruisers on pages 270d, 331, and 332; and whether it is the intention of the Board to increase the paper strength of the Navy by counting these vessels in both classes.

Mr. McKENNA: I am much obliged to my hon. friend for calling attention to a clerical error in this month's Navy List; it will be corrected next month. My hon. friend's suggestion that the transference from one class to another can or would increase the paper strength, is quite without foundation.

Mr. BELLAIRS: Is the right hon. Gentleman aware that it is the practice of the Admiralty officials on the front bench when talking of battleships to count in these vessels, and when talking of cruisers also to count them in?

Mr. McKENNA: That alleged practice is a pure fiction of the hon. Gentleman.

Meetings of Indian Loyalists.

Captain ARTHUR MURRAY (Kincardineshire): I beg to ask the Under-Secretary of State for India whether numerous meetings have been held throughout India consisting of maharajahs, rajahs, zemindars, and Indian representatives of various public bodies, at which resolutions have been passed condemning the outbreaks of sedition on the part of a small section of the Indian community, expressing their loyalty to the Government, and appealing to the masses of the population to adhere firmly to the side of law and order; and if so, whether he will consider the advisability of publishing such resolutions.

The UNDER-SECRETARY of STATE for INDIA (Mr. Buchanan, Perthshire, E.): The Answer to the first Question is in the affirmative; many of the resolutions passed at the meetings referred to have been published in the newspapers, and the Secretary of State does not see any advantage in the course proposed in the question.

Indian Political Prisoners.

Mr. HART-DAVIES (Hackney, N.): I beg to ask the Under-Secretary of State for India whether any political prisoners are or will be among those released in accordance with His Majesty's gracious message.

Mr. BUCHANAN: As I stated in reply to a Question on Monday, no distinction is made between political and other prisoners. The present reductions in sentences are on similar lines to those made at the time of His Majesty's coronation.

Dr. RUTHERFORD (Middlesex, Brentford): Has Mr. Tilak's sentence been reduced?

*Mr. REES (Montgomery Boroughs): Has not his sentence been largely reduced or mitigated already?

Mr. BUCHANAN: He will be treated in exactly the same way as the other prisoners.

*MR. LUPTON (Lincolnshire, Sleaford): Is it a fact that the popular demand in India is for the release of Barabbas?

Political Prisoners in India.

SIR H. COTTON (Nottingham, E.): I beg to ask the Under-Secretary of State for India whether he can state the number of political prisoners in India who have been released or have had their sentences remitted on the occasion of His Majesty the King's gracious proclamation.

MR. BUCHANAN: I would refer the hon. Member to the Answer I have just given to the hon. Member for Hackney.

SIR H. COTTON: Cannot the right hon. Gentleman give the number of political prisoners?

*MR. BUCHANAN: No, Sir. As I have before explained, all prisoners will be treated alike, and the reduction of sentences will proceed on the same lines as at the Coronation—a month being taken off for every year of sentence. It is impossible yet to say how many prisoners will be actually released.

SIR H. COTTON: Will the right hon. Gentleman ascertain?

MR. BUCHANAN: I do not think it necessary to make the inquiry at the moment.

*MR. REES: May I ask the right hon. Gentleman whether equality of treatment with ordinary convicts is being accorded to those who are described as political offenders, but whose offences are of a far more serious character?

MR. BUCHANAN: Yes; the treatment of prisoners in gaol is uniform.

SIR H. COTTON: And in all cases they are subjected to hard labour, I believe.

Political Agitator and Pensions.

SIR H. COTTON: I beg to ask the Under-Secretary of State for India whether the Government of India have reversed the order of the Chief Commissioner of the Central Provinces depriving a retired official of his pension on the ground that he had taken part in political demonstrations; and, if not, whether he will cause an inquiry to be made into the facts of the case with a view to the reversal of this order.

MR. BUCHANAN: So far as the Secretary of State is aware, the retired official referred to has not yet appealed to the Government of India. We had a letter to that effect about a fortnight ago, since when the Secretary of State has no information.

SIR H. COTTON: Having regard to the importance of this Question, in which I take very considerable personal interest, may I ask the right hon. Gentleman whether, in the opinion of the Government, a Government pensioner is liable to have his pension taken from him if he takes part in political demonstrations?

*MR. REES: Does the right hon. Gentleman consider it fair that a rule of this character should be enforced only in the case of subordinate pensioners and that it should not apply also to the superior pensioners of the Government?

MR. BUCHANAN: I gather the hon. Member wishes the rule applied as widely as possible. That is a general question which I am not prepared to answer.

The King's Proclamation to India.

MR. EUGENE WASON (Clackmannan and Kinross): I beg to ask the Under-Secretary of State for India whether he will be prepared to issue as a Parliamentary Paper the Proclamation of the King, Emperor of India, to the princes and people of India, of the 2nd of this month, and at the same time the Proclamation of the late Queen Victoria of 1st November, 1858, to the princes, chiefs, and people of India.

MR. BUCHANAN: If the hon. Member will move for the Papers I shall be happy to lay them on the Table.

Military Churches in India.

*SIR J. JARDINE (Roxburghshire): I beg to ask the Under-Secretary of State for India what authority suggested the transfer of the Gordon Highlanders from Jullundhur to Fort William at Calcutta at an expense to the Indian taxpayer of £1,770; and whether the arrangements of the Fort William garrison allowed the Presbyterian officers and rank and file any further religious privileges, especially as regards the sacraments, than had been enjoyed in the Government church of Jullundhur cantonment, and an espiscopal outbuilding in Fort William was placed at their disposal and used for celebrating the sacrament of the Lord's Supper.

MR. BUCHANAN: The Gordon Highlanders were sent from Peshawur, not to Jullundhur but to Calcutta, by the military authorities in accordance with the principle laid down in the Secretary of State's despatch dated the 27th December, 1907, which is printed in the Cd. Paper 4022. I gave the hon. Member on the 28th October the information that we have from India as to the church accommodation available for the regiment in Calcutta; it does not contain a statement that an "Episcopal outbuilding" was placed at their disposal for communion services.

Nyassaland Slave Raid.

MR. REES: I beg to ask the Under-Secretary of State for the Colonies whether he has any official information showing that slave traders from Portuguese Mozambique recently raided Nyassaland and carried off 100 natives of the Protectorate; whether the captives were subsequently released; and whether the Government can give any explanation of the circumstances of the raid.

THE UNDER-SECRETARY OF STATE FOR THE COLONIES (Colonel SEELY, Liverpool, Abercromby): The Secretary of State has received no information regarding the matter, but will cause inquiry to be made.

Opium Permits in the Transvaal.

MR. FULLERTON (Cumberland, Egremont): I beg to ask the Under-Secretary of State for the Colonies whether he can state the number of permits which have been issued by the magistrates authorising the holders to obtain opium under the Ordinance issued by the Transvaal Legislature; and whether he proposes to make any representations to secure that the Ordinance will be rescinded, so as to effect the suppression of the illicit traffic in opium which now takes place.

COLONEL SEELY: I have no information with regard to the number of permits. With regard to the Ordinance generally I would refer to my reply to a similar Question by my hon. friend the Member for Stirlingshire on 22nd October.

MR. FULLERTON: Would there be any difficulty in getting the information?

COLONEL SEELY: I do not think so; the object is to restrict the sale of opium.

Labour Recruiting in Madagascar.

MR. CLAUDE HAY (Shoreditch, Hoxton): I beg to ask the Under-Secretary of State for the Colonies whether he can now lay Papers giving the correspondence between the Imperial Government and that of the Transvaal and the French Government respecting the recruiting of labour in Madagascar for the Transvaal mines, in accordance with the undertaking given to the House on 12th March last.

COLONEL SEELY: Yes, Sir; Papers shall be laid.

MR. CLAUDE HAY: When will they be in the hands of Members?

COLONEL SEELY: As soon as possible.

Ceylon Imports of Teas.

SIR GILBERT PARKER: I beg to ask the Under-Secretary of State for the Colonies what revenue was derived from the importation of Indian teas to Ceylon during the years 1905–6–7, respectively.

COLONEL SEELY. The quantities of tea from British India entered for consumption in Ceylon were 299 lbs. in 1905, 179 lbs. in 1906, and 319 lbs. in 1907. The import duty is 25 cents. a lb.

Retrenched Transvaal Civil Servants.

SIR GILBERT PARKER (Gravesend): I beg to ask the Under-Secretary of State for the Colonies how many retrenched Civil servants, railway employees, and members of the South African Constabulary have been found appointments by the Colonial Office in this country and in our over-sea Dominions, respectively.

COLONEL SEELY: Government appointments in the Colonies and Protectorates, or in this country, have been offered to twenty-six retrenched Civil servants, three railway employees, and twenty-eight members of the South African Constabulary. In eleven cases the appointments were declined. Of the forty-six appointments made, forty-three were to posts in the Colonies, three to posts in this country.

SIR GILBERT PARKER: I beg to ask the Under-Secretary of State for the Colonies whether this Government will take into consideration a grant of money to the Civil servants retrenched from the Transvaal and Orange River Colony administrations, in view of the inadequate compensation given them and the responsibility which rests on this country in relation to men who were led to believe that their positions would be permanent and pensionable.

COLONEL SEELY: No, Sir. His Majesty's Government, while feeling every sympathy with Civil servants who have lost their positions owing to a policy of retrenchment forced upon the Colonial Governments by the necessity of re-adjusting the Civil Service to normal conditions, cannot undertake to ask Parliament to make money grants to supplement the compensation given them. With regard to the hon. Member's description of the compensation as inadequate, I may state that the compensation granted by the present Transvaal Government has not been less liberal than that granted by the Crown Colony Administration.

SIR GILBERT PARKER asked the hon. and gallant Gentleman whether it was not the fact that, under the Crown Colony Administration, a great many of the Civil servants who were retrenched understood that their occupation was merely temporary, while those who had been discharged during the last two years were chiefly those whose employment was considered to be permanent.

COLONEL SEELY: I cannot accept that statement. If the hon. Gentleman will refer to the debate in which my right hon. friend the President of the Board of Trade made a statement on the subject, he will see that 187 persons were retrenched under the same conditions of tenure and under the same conditions in every respect, and, so far as I am aware, the hon. Gentleman asked no questions on the subject then.

SIR GILBERT PARKER asked whether the Government considered the compensation as set forth in the Blue-book, which, in a great many cases, was scarcely sufficient to bring the retrenched Civil servants back to the country from which they came, was adequate compensation, and had the Government finally decided that they would do nothing whatever to supplement the compensation granted by the Transvaal?

COLONEL SEELY: I fear I can add nothing to the Answer I have given. As I have said, the terms are not less liberal than those which were granted under the preceding Crown Colony Administration, which was under our control, and the scheme of compensation is practically the same as that adopted in Cape Colony, where very large retrenchments are in course of being made. I do not think we could take the step of asking for a grant.

Coloured Subjects of the Crown.

SIR GILBERT PARKER: I beg to ask the Under-Secretary of State for the Colonies whether this Government will take into consideration the desirability of summoning a conference representative of all portions of the Empire to discuss the question of the migration of coloured races within the Empire, their admission to or exclusion from the self-governing Dominions and the Crown Colonies, and their *status* if admitted, and also the possibility of establishing communities of our coloured fellow-subjects in portions of the Empire where no objection would be taken to their settlement.

COLONEL SEELY: The whole question is receiving the fullest attention from the Secretary of State, but as at present advised he does not think that any advantage would result from such a conference as is suggested in the Question.

SIR GILBERT PARKER: Was the decision arrived at on the ground that the time was inopportune or because the Government rejected the proposal?

COLONEL SEELY: There were many reasons; I cannot give the precise one.

EARL WINTERTON (Sussex, Horsham): Before coming to a decision, did the Government consult the Colonial Premiers?

COLONEL SEELY: No, Sir; the self-governing Dominions have made no representations to us in the matter. If the noble Lord will refer to the letter he will see the conference proposed was on a much wider basis.

EARL WINTERTON: Have any representations been made to them on the subject?

COLONEL SEELY: No suggestions came from them.

Labour Death Rate in South Africa.

LORD R. CECIL (Marylebone, E.): I beg to ask the Under-Secretary of State for the Colonies what is the death rate of Chinese and African coolies in South Africa, respectively, from disease and other causes, and what are those causes.

COLONEL SEELY: The last Transvaal quarterly return of mortality of mine employees to 30th June last is as follows. The figures show the rate per thousand:—Accidents, yellow, 4·870; black, 3·139. Homicide and suicide, yellow, 2·783; black, ·428. Diseases, yellow, 8·349; black, 28·468.

LORD R. CECIL: Can the hon. and gallant gentleman explain why it is that the blacks die three times as often as the Chinese?

COLONEL SEELY: No, Sir, I cannot explain why the blacks die three or even four times as often. Nor can I explain why the Chinese commit suicide six times as often.

MR. WEDGWOOD (Newcastle-under-Lyme) asked whether the excessive figure of black mortality was not due to the recruiting of natives from Portuguese territory, especially that part north of the Zambesi, and whether any steps would be taken to limit the recruiting of these natives.

COLONEL SEELY was understood to say that the recruiting was limited, and that, in order to avoid the excessive mortality which prevailed, no recruiting was taking place from areas so far north.

Transvaal Alien Immigration Law.

MR. J. M. ROBERTSON (Northumberland, Tyneside): I beg to ask the Under-Secretary of State for the Colonies whether the Transvaal law against the immigration of Asiatics would operate to the exclusion of Asiatics who are naturalised subjects of Portugal.

COLONEL SEELY: I am now able to give a more detailed reply to my honourable friend's Question. The Answer would depend upon the legal interpretation of Article II. of the Treaty of 1875, between Portugal and the late South African Republic; Article X. of the *modus vivendi* of 1901, concluded between the High Commissioner for South Africa and the Governor-General of Mozambique; and the several Transvaal Acts relating to Asiatics. It would appear that such an interpretation could only be given with authority by a decision of a Court of Law.

Japanese Infringements of British Trade Marks.

SIR GEORGE SCOTT ROBERTSON (Bradford, Central): I beg to ask the Secretary of State for Foreign Affairs whether his attention has been drawn to the continued use by certain Japanese merchants of counterfeits of the registered British trade-marks borne upon Bradford and Manchester piece goods; whether he is aware that this practice has increased greatly of late; and if so, whether any steps are contemplated by His Majesty's Government to bring about some arrangement with Japan whereby such British trade marks shall be adequately protected.

THE SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir EDWARD GREY, Northumberland, Berwick): The reply to the first Question is in the affirmative, and to the second in the negative. As regards the protection of British trade-marks in Japan, His Majesty's Government have been in communication with the Japanese Government, and it is understood that, owing to recent decisions of the Japanese Courts, the position is now more satisfactory. As regards the fraudulent use of British trade-marks in China, negotiations for the conclusion of a Convention with Japan are now proceeding for the mutual protection of British and Japanese trade-marks in that country.

SIR GILBERT PARKER asked if His Majesty's Government were pressing for the better protection of British trade-marks?

SIR EDWARD GREY said that several cases had been brought before the Courts recently and in two or three important ones Japanese manufacturers had been fined for imitating British trade-marks. He must repeat that the position might now be considered satisfactory in that respect.

Chinese Foreign Trade.

MR. BOWLES (Lambeth, Norwood): I beg to ask the Secretary of State for Foreign Affairs whether he can state the date on which the Report on the foreign trade of China for the year 1907, No. 4152, Annual Series, which has just been published was despatched from Peking; the date on which it was received at the Foreign Office; and the date on which it was delivered to the printer.

SIR EDWARD GREY: The Report on the foreign trade of China for the year 1907 was despatched from Peking on 10th July last, was received by the Department on 5th August, and finally delivered to the printer, after revision, on 17th October. The interval between the date of receipt of the Report and delivery to the printer was due to the fact that the Report, which is a very elaborate one, arrived with a considerable number of others at a time when, owing to the short interval between the sessions of Parliament, the staff at the Board of Trade, which examines the Reports in conjunction with the Foreign Office, was unusually weakened by the absence of officials on annual leave. I might add that the arrangements in regard to the editing of these Reports are still in an experimental stage, and steps are being taken in conjunction with the Board of Trade as a result of the experience gained, to expedite publication in future.

The Steam Trawler "General."

SIR GEORGE DOUGHTY (Great Grimsby): I beg to ask the Secretary of State for Foreign Affairs what reply, if any, he has received from the German Government on the case of the arrest on the high seas of the steam trawler "General" by the German gunboat "Zeeder" on 9th of May last, when the s.s. "General" was boarded by a German crew from the gunboat and taken to Cuxhaven, the captain imprisoned, and his cargo of fish destroyed, after which he was tried before a German Court and proved his innocence, and the crew and ship were released; and whether he will take steps to obtain an apology from the commander of the gunboat for his proceedings, and compensation to the fishermen and owners for the loss they have sustained.

SIR EDWARD GREY: A sworn statement of losses incurred by the steam trawler "General" has only recently been furnished by the managing owner of that vessel, and His Majesty's Chargé d'Affaires at Berlin has been instructed to submit to the German Government a claim for compensation.

Russian Troops on the Persian Frontier.

MR. LYNCH (Yorkshire, W.R., Ripon): I beg to ask the Secretary of State for Foreign Affairs whether a force of Russian troops of all arms, estimated to have a strength of at least 5,000 men, is shortly expected at Julfa, on the Persian frontier; and can he state what objects this force has in view.

SIR EDWARD GREY: I have no information beyond that contained in my reply given on the 27th ultimo to the hon. Member for Brentford.

Prison Warders' Hours of Duty.

MR. WARDLE (Stockport): I beg to ask the Secretary of State for the Home Department if he can state what number of extra men would be required if the hours of warders in convict prisons were reduced to eight per day; and whether, in view of the amount of unemployment in the country, he can see his way to a revision to that number.

THE UNDER-SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. HERBERT SAMUEL, Yorkshire, Cleveland): It is estimated that to work the convict system effectively with an eight-hour day for officers would require an addition of between 150 and 160 officers to the staff, at a cost of about £15,000 a year. My right hon. friend does not see his way to adopt the hon. Member's suggestion.

Motor Omnibus Nuisances.

MR. MARKHAM (Nottinghamshire, Mansfield): I beg to ask the Secretary of State for the Home Department whether, seeing that Clause 23 of the Police Regulations provides that no smoke must be projected from the exhaust or from any other part of a motor omnibus, and that the Regulation further provides that this condition will be insisted upon at all times, he will say whether the Commissioner of Police has any knowledge that any motor omnibus emits petrol smoke or stink, licensed under Clause 23 of the Police Regulations.

MR. HERBERT SAMUEL: Yes, Sir. As my right hon. friend has stated in reply to previous Questions, the Commissioner of Police has taken action in a number of such cases, and has ordered the offending vehicles off the streets until their defects are remedied.

MR. MARKHAM: Am I to understand that there are no omnibuses on the streets at the present time emitting smoke or smell?

MR. HERBERT SAMUEL: I do not know whether there are any that have not been discovered. An omnibus which is originally innocent may develop defects.

MR. MORRELL (Oxfordshire, Henley): How soon can they go on the roads again?

MR. HERBERT SAMUEL: As soon as the defect is remedied. I may point out that last year the number ordered off the streets for this reason was 183.

MR. MARKHAM: Will the hon. gentleman order off the streets all omnibuses against which complaints are brought to the notice of the Commissioner of Police?

MR. HERBERT SAMUEL: No doubt the Commissioner of Police will be glad to give attention to any information on the subject.

British Consuls in the Colonies.

MR. DU CROS: I beg to ask the Under-Secretary of State for the Colonies what steps have been taken in response to the representations of the Colonial Premiers as to the appointment of consuls and vice-consuls in the important towns of New Zealand and other British Colonies; and whether he will furnish a list of all such appointments made during the past eighteen months.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. CHURCHILL, Dundee): My hon. friend has asked me to reply to this Question. As I stated in answer to a Question put to me by the hon. Member for Great Yarmouth yesterday, four trade Commissioners have been appointed in Canada, Australia, New Zealand, and South Africa, respectively. We have also appointed a number of local trade correspondents at various places in Canada and in Newfoundland during the period referred to, in accordance with the system which had been previously adopted in South Africa, Australia, and New Zealand. I will have a complete list of the names of the present trade Commissioners and correspondents in the Dominions and self-governing Colonies printed in the Votes.

MR. DU CROS: Is the right hon. Gentleman aware that the previous system was absolutely condemned at the last Conference? Are the suggestions of the Colonial Premiers to be utterly ignored?

MR. CHURCHILL: We have followed the course which has been adopted for a long time, and which until now has not been challenged.

Overtime in the Post Office.

MR. W. THORNE (West Ham, S.): I beg to ask the Postmaster-General whether he will carry out paragraph 353 of the Hobhouse Committee's Report as to the diminution of overtime by sanctioning additional established posts in the Post Office, and thus do something to relieve the unemployed.

THE POSTMASTER-GENERAL (Mr. SYDNEY BUXTON, Tower Hamlets, Poplar): The policy recommended by the recent Select Committee on Post Office Wages in paragraph 353 of their Report, in regard to the reduction of overtime, with which I am entirely in accord, is being steadily pursued.

MR. W. THORNE: I beg to ask the Postmaster-General whether it would be possible to employ a number of additional men in the Post Office were all postmen's duties confined to not more than two attendances and completed within twelve hours; and, if so, whether he will issue instructions to amend the regulations in the above-mentioned direction.

MR. SYDNEY BUXTON: It would not be possible, without a considerable waste of force, to arrange for all postmen's duties to be confined to not more than two attendances and completed within twelve hours. This fact was recognised by the recent Select Committee on Post Office Servants. In arranging duties endeavours are always made to reduce the number of separate attendances as far as practicable, and considerable steps in this direction have been taken of late.

Postal Servants and Politics.

MR. WARDLE (Stockport): I beg to ask the Postmaster-General if his attention has been called to the presence on the platform at the annual meeting and conference of the Gloucester division of the National Union of the Conservative and Constitutional Association, held at the Town Hall, Tewkesbury, on 14th October, 1908, of Mr. Thomas Williams, the postmaster of that town; whether the action of Mr. Williams is contrary to the Treasury Regulations; and, if so, what action he proposes to take in the matter.

MR. SYDNEY BUXTON: I am inquiring into the matter, which had not previously been brought to my notice.

EARL WINTERTON: Will the right hon. Gentleman at the same time inquire into any cases of Socialist members of the Post Office staff attending Socialist meetings?

MR. SYDNEY BUXTON: If my attention is called to any such case I will inquire.

EARL WINTERTON: I will call the right hon. Gentleman's attention to cases.

Post Office Engineers.

MR. NANNETTI (Dublin, College Green): I beg to ask the Postmaster-General if he will state the number of each of the following grades of civil officials in the Engineering Department of the Post Office in Ireland to be replaced in the event of the proposed transfer of the military from England to Ireland, viz.: engineers (all classes), clerks, inspectors, mechanics, linemen, foremen, sub-foremen, skilled and unskilled labourers; and also the total amount paid in salaries, wages, and allowances to all these classes during the past twelve months.

I beg also to ask the Postmaster-General whether it is the intention to transfer the military to the northern engineering district of Ireland and upon the same lines as at present suggested for the southern engineering district of Ireland; and will he explain in what particulars the telegraphic and telephonic engineering work in Ireland would be more suitable for military training purposes, and in what respect does the work differ from that at present done in the south of England.

I beg further to ask the Postmaster-General whether, in the event of the proposed transfer of the Royal Engineers into the southern district of Ireland, the telegraph mechanics who are now employed in the southern districts will be affected by the proposed change; and, if so, will he take steps to secure them employment in some other centre in Ireland.

MR. SYDNEY BUXTON: I will answer these three Questions together. If the Royal Engineers are transferred to the southern district of Ireland the following numbers of civilian officers will be replaced:—1 assisting superintending engineer, 2 first class engineers, 1 second class engineer, 3 sub engineers, 13 clerks, 3 inspectors, 8 mechanics, 31 linemen. For many of these, except the mechanics, places will be available in the northern district of Ireland, which will continue to be staffed by civilian engineers. Places will be found for the others elsewhere. In the opinion of the War Office the work in Ireland is more suitable for the training of the Royal Engineers because it has more resemblance to that which military engineers might be called upon to perform in the field, and because it provides training in railway block signalling, etc., which cannot be obtained in England. The total amount paid in wages, salaries, etc., in the southern district of Ireland in the past twelve months was £24,823.

Mr. NANNETTI: Will not this introduction of the military element into Ireland prevent young and intelligent students from competing for posts in the Civil Service?

Mr. SYDNEY BUXTON: I should like notice of that Question, but it is a matter rather for the War Office as to the particular district most suitable for training Royal Engineers.

Telephonists' Hours of Duty.

Mr. W. THORNE: I beg to ask the Postmaster-General whether the night telephonists in London were represented before the Hobhouse Committee; whether their hours of duty are 54 per week, composed of night and Sunday duty; whether he will state what recommendations of the Select Committee bore on these hours of duty; and whether he will consider the possibility of reducing them.

Mr. SYDNEY BUXTON: The night telephonists in London were not represented before the Hobhouse Committee, but, in accordance with the Committee's recommendation in paragraph 5 of their Report, I have considered the conditions of employment of these men. Their hours of duty are 54 per week, made up of night and Sunday work, and is largely watching duty. There does not appear to be any reason to alter these hours.

Christmas Pressure in the Post Office.

Mr. CLYNES (Manchester, N.E.): I beg to ask the Postmaster-General whether, in order to facilitate the employment of men who would otherwise be out of work, he will issue instructions to all postmasters that, during the Christmas pressure, no persons in regular employment such as teachers, clerks, Civil servants, and others, shall be employed for extra time; and whether those who are to be engaged will also be limited to reasonable working hours.

Mr. SYDNEY BUXTON: As I have already stated in this House, in choosing the temporary men required for postal work at Christmastide preference will be given to genuinely unemployed married men of good character suitable for the work. I have issued instructions to postmasters to this effect. The regular attendance to be given by these temporary men will be eight hours a day, but at the height of the Christmas pressure those hours are necessarily extended on particular days.

Telephone Construction Work at Newcastle-on-Tyne.

Mr. HUDSON (Newcastle-on-Tyne): I beg to ask the Postmaster-General whether in Newcastle-upon-Tyne an estimate for telephone construction work has been prepared and has been approved by the engineer-in-chief; and whether he can say what steps, if any, are being taken for the carrying out of the work.

Mr. SYDNEY BUXTON: In Newcastle itself a few pipes are being laid, and considerable work in the construction of trunk lines is going on in the engineering district in which Newcastle is situated. A contract for an underground line of between five and six miles in length is about to be made.

Prosecution of a Clyde Pilot.

Mr. WATT (Glasgow, College): I beg to ask the Lord Advocate whether his attention has been called to the case of a Clyde pilot, William M'Kinlay, who was prosecuted on 15th May last in the Glasgow Sheriff's Court for reckless navigation when in charge of the s.s. "Maracas"; if so, will he say why his Department delayed six months in instituting this case; and why the case was then brought forward at a time when the officers and crew of the "Maracas," who were the chief witnesses for the defence, were hundreds of miles from Glasgow.

The LORD-ADVOCATE (Mr. Thomas Shaw, Hawick Burghs): My attention has been called to this case. The hon. Member is in error in supposing that there was any delay in the Department.

On the contrary, the evidence was furnished by the Admiralty on 5th May, and within ten days M'Kinlay was tried and convicted. As to the concluding inquiry, both before and during the trial, the procurator fiscal offered to agree to a continuation of the case if M'Kinlay—who was defended by a firm of solicitors of experience and standing—desired it in order to enable him to obtain the evidence of witnesses from the "Maracas." He did not desire such continuation and elected to proceed with the trial.

MR. WATT: Was the delay in the hon. Gentleman's Department or on the part of the Admiralty?

MR. THOMAS SHAW suggested that the Question should be addressed to the First Lord.

MR. JOYCE (Limerick): Was there not an assessor on the bench at the hearing and, if not, why not?

MR. THOMAS SHAW asked for notice.

Irish National School Work-Mistresses.

MR. O'DOWD (Sligo, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether work-mistresses in national schools of two years good service are debarred from any share of the grant of £114,000 recently allocated; and, if so, whether, seeing that these are the lowest-paid teachers in the service, having salaries ranging from £12 to £14 per annum only, he will see that they get something from this new grant.

THE CHIEF SECRETARY FOR IRELAND (Mr. BIRRELL, Bristol, N.): I must refer the hon. Member to my reply to a similar Question asked by the hon. Member for South Belfast on the 4th instant.

Riverstown Cattle-Drive Fatality.

MR. O'DOWD: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that, owing to the firing of a party of police on an unarmed crowd assembled at Riverstown, county Sligo, on Thursday morning, 29th October, a young man named John Stenson lost his life by a rifle bullet; and, if so, what steps will be taken to have the perpetrator discovered.

MR. LONSDALE (Armagh, Mid): At the same time, may I ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he will give the House full particulars of the fatal conflict between cattle-drivers and the police at Riverstown, county Sligo, on the 29th instant.

MR. BIRRELL: On the occasion in question, shortly after midnight, a force of ten police under a head constable, was on certain lands from which the cattle had twice been driven. A body of over 100 men entered the field and approached the cattle. They refused to retire when called on to do so, and attacked the police with stones. The head constable in charge of the party was struck on the head with a stone and knocked down, and other constables were also injured. A shot was fired from the crowd, and the police were driven back by volleys of stones. The crowd rapidly closed on the police, and the head constable, believing the lives of his men to be in imminent danger, ordered them to fire. The crowd repeatedly fired at the police with revolvers, and did not retire until the police had fired a second and third time. The dead body of a young man named John Stenson was subsequently found in the field with a bullet wound in the head. These facts speak for themselves. An inquest has been held, and it is not intended to hold any further inquiry.

MR. LONSDALE asked whether, having regard to the fatal consequences of a reliance on the ordinary law, the right hon. Gentleman now intended to use the Criminal Law (Procedure) Act.

MR. BIRRELL: That is not my intention.

MR. PATRICK O'BRIEN (Kilkenny): Were any police officers wounded by the use of revolvers?

MR. BIRRELL: No, not by the use of revolvers, but by stones very badly.

MR. PATRICK O'BRIEN: Does not that show there was no intention to wound? They must have been bad marksmen not to hit one of eleven policemen in a field.

MR. LONSDALE: Is it fair to the police to withhold an inquiry?

*MR. SPEAKER: That is a matter of opinion.

MR. JOHN REDMOND (Waterford): What evidence has the right hon. Gentleman that any firearms were used by the people? Has the right hon. Gentleman not received information to the contrary effect?

MR. BIRRELL: I have to deal with a small force of policemen, eleven men in all, who appeared to have behaved with great discretion and to have been completely under command. They only fired at the command of their officer, and they tell me, without any hesitation or doubt, that the firing proceded from the crowd at first. I cannot doubt that they are correct in that view, and I cannot see how you could obtain evidence of such a kind as to affect the merit and force of their evidence.

MR. LONSDALE: Can the right hon. Gentleman say how many lives are required to be sacrificed?

*MR. SPEAKER: The hon. Member has been in the House long enough to know that Questions of that sort are not permissible.

Limerick Technical Institute.

MR. JOYCE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he has any information with regard to the granting of the loan of £10,000 applied for by the County Borough Council of Limerick towards the building of a central technical institute in that city; and whether, taking into account the want of employment that exists and the necessity of doing something towards its relief, this loan may be granted and work that is needed started at once.

MR. BIRRELL: I understand that the difficulty about making the loan in question arises from the fact that the borrowing powers of the Limerick Council have already been substantially exhausted. I am anxious, however, to give all the assistance I can to the carrying out of this highly desirable project, and am in communication with the proper authority as to whether the difficulty about making the loan may be overcome.

MR. JOYCE: Then what becomes of the statement of the President of the Local Government Board that loans would be advanced to public bodies in order to tide over the distress this winter?

MR. BIRRELL: The whole question is one of law—whether loans of this character can be authorised. I have this matter very much at heart and am doing my best to overcome the difficulty.

Mr. W. Reeves' West Clare Estate.

MR. HALPIN (Clare, W.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will have inquiries made from Judge Ross why his order to have the property of Mr. William V. Reeves, which includes the salmon fishery, sold has not been carried out; whether he is aware that close on 3,000 acres are let on the eleven months grazing system; and whether he will use his influence with the Estates Commissioners to purchase the property, so as to have it divided amongst the small farmers and labourers of Killimer and Knock, West Clare.

MR. BIRRELL: I am informed that the order for the sale of this estate is being carried out according to the usual practice of the Land Judge's Court. The proceedings have not reached a stage at which the Estates Commissioners could make an offer for purchase. I understand that the whole estate comprises about 2,800 acres, of which only about 215 are let for grazing.

Labourers' Cottages in Athlone.

SIR WALTER NUGENT (Westmeath, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that, owing to exceptional local circumstances, no labourers' cottages have been built in some parts of Athlone (No. 1) Rural District, no tenders have been received for the erection of cottages long ago sited, and the labourers still live in houses some of which were condemned by local authorities 20 months ago; and whether, in view of these facts, he will advise the Local Government Board for Ireland to authorise the above-mentioned district council to increase the limit of £130, now allowed for the erection of labourers' cottages, by amounts not in any case exceeding £10 where, in the opinion of the council, such increases are absolutely necessary.

Mr. BIRRELL: The Local Government Board are not aware of exceptional local circumstances in this case. The loan sanctioned is at the rate of £175 per cottage or £5 above the usual average. The Board are not prepared to authorise any supplemental loan, and think that the rural district council should by due economy be able to carry out the scheme within the limit of £175 per cottage. Should no reasonable tenders be received, it is open to the council to consider the propriety of carrying out some of the works themselves.

Boycotting Statistics.

Mr. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been directed to the Return No. 6 of the session of 1888, laid by the then Chief Secretary, showing that while at the date of the passing of the Criminal Law and Procedure Act of 1887, the number of boycotted persons in Ireland was 4,835, the number had been decreased during the succeeding six months by upwards of 50 per cent.; whether he is aware that in July, 1892, the number of cases of boycotting throughout Ireland had been reduced to three; whether he is aware that between 31st January, 1907, and 31st August, 1908, the number of boycotted persons has increased from 216 to 754; and whether he can explain the fluctuations in the statistics during the periods mentioned.

Mr. BIRRELL: My attention has been called to the Return in question showing that the number of persons seriously boycotted on 31st July, 1887, was 4,835, and that the number on 31st January, 1888, was 2,075. The number of persons similarly boycotted in July, 1892, was sixteen. In January, 1907, the number was fifty-two, and in August last 115. The figures for 1907 and 1908, quoted by the hon. Member, include cases of minor boycotting which were not recorded before 1902. It is not possible within the limits of an oral reply to analyse the various causes of these fluctuations.

Mr. LONSDALE: Do not these facts show that the right hon. Gentleman is condoning the offence of boycotting?

*Mr. SPEAKER: That is a purely argumentative Question which the hon. Member ought not to put. The object of Questions is to obtain information.

Nationalist Newspapers and the Police.

Mr. JOHN REDMOND: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether cautionary notices have been served by the Irish Government on the proprietors of certain newspapers in Ireland, practically threatening them with penal consequences if they do not exclude from their journals certain items of news; if so, will he state under what statute the Irish Government has acted in this matter; and whether it has any warrant or authority for this action.

Mr. BIRRELL: The attention of the police having been called to the publication in certain newspapers of notices purporting to be reports of meetings at which individuals, designated by name or by a description so accurate as to be equivalent to naming, were threatened with boycotting and other forms of intimidation, the police, by direction of Government, have given an oral warning to the proprietors and editors of these newspapers that the publication of such notices is illegal and if persisted in will necessitate the taking of legal proceedings. I entirely approve of the action of the police in this matter. The issue of a warning by them is a cautionary measure and needs no statutory authority. I may add that this is by no means a new departure. Within recent years it was found necessary to warn certain Irish newspapers of the illegality of publishing advertisements of foreign lotteries.

Mr. JOHN REDMOND: Do I understand that no written notice has been served? Is it not a fact that certain letters have been written to editors of newspapers in Ireland, and, if so, will the right hon. Gentleman produce the letters? May I also ask whether there is any precedent for action of this kind except under a coercion *regime*?

Mr. BIRRELL said he had been told that no letters had been written and that the warnings—friendly warnings, he should describe them—had been delivered orally. There was no coercion in the matter. The publication of things of this kind was illegal, and he saw no harm in giving people notice that they were pursuing an illegal practice.

MR. JAMES CAMPBELL (Dublin University) asked if this illegal practice had not been going on for the last two years, and why it was only now taken notice of.

MR. BIRRELL: Things of this sort are left to the Executive. The right hon. Gentleman must be perfectly aware that even when Ireland had the advantage of his services things happened which might have been made the subject of prosecution, but were not. I have acted in this matter, I consider, with a wise discretion.

MR. PATRICK O'BRIEN inquired whether these notices, either written or oral, might not be described as threatening? Would they appear in the next return of threatening letters?

MR. BIRRELL: No, Sir; I think they were the most friendly notices in the world.

LORD R. CECIL (Marylebone, E.): Is there any legal objection to writing letters warning people that they are transgressing the law?

MR. BIRRELL: None whatever. Both courses are open, but in this case we proceeded orally.

MR. LONSDALE: Will the right hon. Gentleman say whether there are not powers conferred upon him by the Crimes Act to deal with these offences?

[No Answer was given.]

MR. STAVELEY-HILL (Staffordshire, Kingswinford): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether certain Irish newspapers have been informed that the attention of the Government has been directed to the publication of resolutions criminally libelling and intimidating owners of grazing lands and other persons, and that, if these publications were repeated, a Government prosecution would follow; and, if so, whether he will give the names of the papers and lay upon the Table of the House a copy of the communication.

MR. BIRRELL: As regards the first part of the Question I would refer the hon. Member to my reply to the Question of the hon. Member for Waterford which I have just answered. The warning is being given orally and I am not in a position to give a list of the newspapers concerned.

Case of Mrs. Sammon, Carrowkennedy, County Mayo.

MR. WILLIAM O'BRIEN (Cork): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether anything has been done to carry out the promise of the Estates Commissioners, made many months ago, to provide a holding for Widow Sammon of Carrowkennedy, County Mayo; whether he is aware that the sum in dispute at the time of her eviction, nine years ago, was only £20, and that the special police barracks erected on the evicted holding costs the Imperial Treasury at least £500 a year, and might be dispensed with if this woman were provided with a new holding, or a reasonable offer made to the occupier of her old holding.

MR. BIRRELL: The Estates Commissions have noted Mrs. Sammon's name for a holding or lands in County Mayo which they have gazetted for compulsory acquisition under the Evicted Tenants Act. An objection under Section 2 of the Act has been lodged and until the lands have been acquired the Commissioners cannot take any further action. As regards the latter part of the Question, I would refer the hon. Member to my reply to his Question on 3rd June last.

MR. WILLIAM O'BRIEN: Can the right hon. Gentleman give any indication when there will be a definite settlement in this case? Is not this district one of the most crimeless in the country, and indeed, in the world, and can the right hon. Gentleman not impress upon his Commission that there is a better way of expressing gratitude to the Irish people than to spend five years in tinkering over the case of a poor woman and employing policemen solely to shadow her?

MR. BIRRELL: The Estates Commissioners are doing their best to settle this case.

Cattle-Drives.

Mr. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland how many cattle-drives have taken place in the Riverstown district since the fatal affray on 29th October; whether the police were present at any of them; and how many police are now stationed in this district.

Mr. BIRRELL: There has not been any cattle-drive in the Riverstown district since 29th October. There are at present at Riverstown twenty-one police under the command of a head constable.

Mr. LONSDALE: Does the right hon. Gentleman consider there is a sufficient force of police in the district to preserve order?

Mr. BIRRELL: I will convey the doubt of the hon. Member to the Inspector-General.

Cork Evicted Tenants.

Mr. SHEEHAN (Cork County, Mid.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been drawn to a resolution adopted at a recent meeting of the Cork Evicted Tenants' Association, setting forth that the evicted tenants observed with deep concern and dismay that the Estates Commissioners decline to take any steps whatever towards the reinstatement of the tenants evicted since 1903, unless and until the estates from which they were evicted come to be dealt with before them; that the evicted tenants consider this a great hardship, and believe that the grievance is one which should be considered by Parliament in connection with the forthcoming Land Bill; whether he will state what are the intentions of the Government in regard to the position of this special class of evicted tenants; and whether it is intended to legislate on their behalf.

Mr. BIRRELL: The Estates Commissioners have received a copy of the resolution referred to. The Evicted Tenants Act does not apply to tenants evicted subsequent to the passing of the Irish Land Act, 1903. Such cases are inquired into when the estate is being dealt with under the Act of 1903. It is not intended to introduce further legislation with respect to evicted tenants.

Mr. WILLIAM O'BRIEN: Will the right hon. Gentleman consider the case of the 2,000 or 3,000 evicted tenants whose applications have been rejected without any reason given or without hearing? Cannot he give these poor people an appeal to the County Court Judge?

Mr. BIRRELL: I am ready to consider any cases that may be urgent, but I do not think such cases can be included in the forthcoming measure.

Giant's Causeway.

Mr. FULLERTON: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that a mining syndicate has acquired legal rights over the Giant's Causeway, on the North Antrim coast, enabling them to quarry the Causeway; and whether steps will be taken to prevent this columnar basalt from being quarried and broken up for road metal, or other commercial purposes.

Mr. BIRRELL: My attention has been called to a newspaper article indicating that quarrying rights over the Giant's Causeway have been acquired by a mining syndicate. I understand that there is no foundation for the statement in question beyond the fact that quarries are being opened near Portrush some miles away.

Sales of Firearms in the West of Ireland.

Mr. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that firearms are being sold freely in the West of Ireland on the instalment plan; and whether, having regard to the fact that outrages with firearms have been quadrupled since the dropping of the Peace Preservation Act, he will introduce legislation immediately to deal with this evil.

Mr. BIRRELL: The inspector-general of the Royal Irish Constabulary has received no official information that arms are being sold in Ireland on the instalment plan, and he is not aware of any means by which precise information on the subject could be obtained. As regards the second part of the Question I would refer the hon. Member to my reply to the similar Question asked by the hon.

and gallant Member for East Down on 29th October.

Mr. LONSDALE: Is not the right hon. Gentleman aware that statements to the effect given in the Question have appeared in most of the Irish newspapers?

Mr. BIRRELL: No, I am not aware of it.

Cattle-driving in North Clare.

Mr. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he will state the number of cattle-drives reported from North Clare prior to the 20th September; whether an official shorthand writer attended the meeting held on that date under the auspices of the United Irish League at Lisdoonvarna; whether he furnished a transcript of the notes of speeches made by the hon. Members for East Clare and East Limerick; whether, the transcript discloses any expression of encouragement or disapproval of cattle-driving; and whether he will state the number of cattle-drives that have taken place in that district since the date named.

Mr. BIRRELL: Prior to 20th September last there were fifty-five cattle-drives reported from North Clare, and since then twenty-seven have taken place. No official shorthand-writer attended the meeting held at Lisdoonvarna on the date named.

Mr. WILLIAM REDMOND (Clare, E.): Is the right hon. Gentleman aware of the fact that, though no shorthand note was taken of the speech the hon. Member for East Clare is perfectly prepared to repeat the speech word for word, only it will take him an hour and three-quarters?

Mr. BIRRELL: I am quite sure that is so.

Potato Disease in Ireland.

Mr. J. MACVEAGH (Down, S.) asked for information with regard to an outbreak of black scab among the potatoes in Ireland.

The VICE-PRESIDENT of the DEPARTMENT of AGRICULTURE for IRELAND (Mr. T. W. Russell, Tyrone, S.) regretted to say that the newspaper reports as to an outbreak of "black scab" among the potato crop in Ireland were true. He had received a telegram stating that "black scab" had been reported from two centres in County Down. The inspector had visited the district and declared the disease in both cases to be "black scab." In one case the potatoes had been dug, and the inspector had ordered the immediate destruction of a portion of the crop, and his order had been complied with. In the other case the crop was still in the ground and notice had been served that the potatoes were to be left in the ground pending further instructions. He did not think that the Department could be armed with greater authority than it possessed under their Acts of Parliament to deal with a calamity of this kind. Recognising it to be a calamity to Ireland, the Department would leave nothing undone to stop the progress of the disease.

Mr. SHEEHAN (Cork County, Mid): Has the right hon. Gentleman not already received representations from farmers' associations and other bodies in Ireland asking him absolutely to prohibit the importation of potatoes from England or Scotland into Ireland?

Mr. T. W. RUSSELL: I have received one such notice from the County Dublin Farmers' Association, but there is nothing in it with regard to the importation of potatoes, and I am reluctant to issue an order to stop importation when perhaps it is not coming from England or Scotland at all. In England the disease is slightly prevalent in the low-lying parts where continuous cropping has taken place, and I rather think it will be found that is the real origin of the disease in Ireland. I would ask the hon. Member not to press me on that point, because I object to issue any order stopping the importation of seed potatoes without any real ground.

Mr. LONSDALE: Will the owners of the crops destroyed receive compensation?

Mr. T. W. RUSSELL: Compensation cannot be given without the consent of the local authority. That is also a question to be considered.

Strabane and Letterkenny Railway.

MR. C. MACVEIGH (Donegal, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the Strabane to Letterkenny Railway, East Donegal, was practically completed, inspected, and passed by the Board of Works in July last, with the exception of the station at Strabane, which the Joint Committee seemed to disagree about; whether the Donegal County Council have given a guarantee in connection with this railway, which is being levied off the guaranteeing area, and the ratepayers are deriving no benefit from the line; whether he can state what is the cause of the delay; and whether he will take steps to have this line opened for traffic immediately and thereby provide some little employment, which is much needed in the district.

MR. CHURCHILL: My right hon. friend has asked me to answer this Question. The railway was inspected on behalf of the Board of Trade in July last and its opening for passenger traffic between Letterkenny and Raphoe was then sanctioned. The Board were, at the time, unable to sanction the opening of the section of the line between Raphoe and Strabane owing to the incompleteness of the terminal arrangements at the latter place, but the railway company were informed that a re-inspection of the works would be made so soon as the requirements of the inspecting officer had been complied with. The company have not yet notified the Department that the outstanding works have been completed, but the hon. Member may rest assured that there will be no delay on our part in making the necessary re-inspection.

Royal Commission on the Poor Law.

MR. BUTCHER (Cambridge University): I beg to ask the Prime Minister if he has any information as to when the Royal Commission upon Poor Law and Unemployment will present its Report.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. ASQUITH, Fifeshire, E.): I understand that it is hoped that the Report will be presented by the end of the year.

Agricultural Rating Act, 1904.

MR. SUMMERBELL (Sunderland): I beg to ask the Prime Minister, in view of the increase in the poor rate of the country, if he can state whether it is the intention of the Government to take steps having for their object the amending of the Agricultural Rates Act, 1904, and thereby relieve the burden somewhat of taxpayers in industrial centres.

MR. ASQUITH: The Amendment of the Agricultural Rates Act is part of the general question of the relation between local and Imperial taxation which is receiving careful consideration.

CAPTAIN MORRISON-BELL (Devonshire, Ashburton): Has not the increase of rates been greater in the country districts than in the towns?

MR. ASQUITH: I must ask for notice of that.

Port of London Bill.

MR. LOUGH (Islington, W.): I beg to ask the Prime Minister whether it is his intention to proceed with the Port of London Bill this session; and, if so, whether, as it was introduced under the Ten-Minutes Rule without discussion and the debate on the Second Reading was closured at the end of four hours, and as the Chairman ruled at the commencement of the proceedings that discussion of the principle of the purchase of the docks could not be permitted in Committee, he will give reasonable facilities for considering that point, as well as other principles of the Bill, before entering on the Report stage.

MR. ASQUITH: It is the intention of the Government to proceed with the Bill this session. I see no reason for thinking that the ordinary stages which the Bill has to go through, including the Third Reading, will not give adequate facilities for the further consideration both of the principle and its details.

MR. LOUGH: Is the right hon. Gentleman aware that, since the Bill was explained to the House, the basis of valuation upon which the Government proposes to pay twenty-three millions sterling for the docks has been changed?

MR. ASQUITH: No, Sir; I am not aware of that, but, if it is so, that will be a proper subject for discussion when the Bill comes on.

MR. LOUGH: Will the right hon. Gentleman try to verify that statement before the debate takes place?

MR. ASQUITH: That does not fall within my province. It is a matter for the President of the Board of Trade.

BUSINESS OF THE HOUSE.

MR. A. J. BALFOUR (City of London) asked the Prime Minister to give some statement as to the future course of business. He understood that the Committee stage of the Licensing Bill would be finished on Monday, and hoped that some opportunity would be given of considering the Government Amendments put down for the Report stage, especially as a large number of those Amendments dealt with questions that had been deferred to that stage. He also asked on what date it was proposed to take the Third Reading of the Bill, and what business would be taken between the Committee and the Report stages.

MR. ASQUITH said that the last allotted day for the Committee stage of the Licensing Bill would be Monday next. He proposed to allow a substantial interval between the Committee and the Report stages. On Tuesday they would take the Report and Third Reading of the Scottish Education Bill, and the eleven o'clock rule would be suspended to complete the proceedings on that measure. On Wednesday they would take the Port of London Bill in Committee, and, in accordance with the closure Resolution adopted before the adjournment, the eleven o'clock rule would be suspended for consideration of the Resolution allocating the time for the Report stage of the Licensing Bill. On Thursday they would go on to complete the Committee stage of the Port of London Bill. They proposed to enter on the Report stage of the Licensing Bill on Friday—[OPPOSITION cries of "Oh!"]—and to continue that stage, if necessary, in the following week. He hoped to get the Third Reading stage on the ensuing Friday, 20th November.

MR. A. J. BALFOUR hoped that the right hon. Gentleman would not absolutely and irrevocably fix on the Friday. It was a matter for consideration and discussion, and perhaps he would keep an open mind on the point. He asked when the Government Amendments on the Report stage would appear on the Paper.

MR. ASQUITH said that they would appear on Tuesday morning. The Government could not put them down until the Committee stage was finished. He hoped that the Resolution allocating the time of the Report stage would be circulated on Monday.

LORD R. CECIL asked when a discussion on the regulations under the Old-Age Pensions Act, which must take place in Parliament within twenty-one days of their issue, could be taken.

MR. ASQUITH: I was not aware that any notice of Motion has been given on the subject.

LORD R. CECIL: I have given one.

MR. ASQUITH: I will consider the question.

EARL WINTERTON asked whether a day would be given for discussing the Report of the Committee on Public Accounts.

MR. ASQUITH: I cannot say more than I did yesterday, but I am very anxious to do so if possible.

SELECTION (STANDING COMMITTEES).

Sir WILLIAM BRAMPTON GURDON reported from the Committee of Selection; That they had discharged the following Member from Standing Committee A (in respect of the Criminal Appeal (Amendment) [Lords] and of the White Phosphorous Matches Prohibition Bills): Mr. Walrond; and had appointed in substitution (in respect of the said Bills): Lord Balcarres.

Sir WILLIAM BRAMPTON GURDON further reported from the Committee; That they had discharged the following Member from Standing Committee B: the Lord Advocate; and had reinstated Mr. Solicitor-General.

Sir WILLIAM BRAMPTON GURDON further reported from the Committee; That they had discharged the following

Members from Standing Committee B (in respect of the Housing, Town Planning, etc., Bill): Mr. John William Taylor and Sir Edwin Cornwall; and had appointed in substitution (in respect of the said Bill): Mr. Jowett and Mr. Leif Jones.

Reports to lie upon the Table.

LICENSING BILL.

Considered in Committee.

(In the Committee.)

[Mr. EMMOTT (Oldham) in the Chair.]

Clause 37:

*MR. BOTTOMLEY (Hackney, S.) moved the omission of subsection (1) of the clause, and in doing so, reminded the Committee that so far as the club portion of the Bill was concerned, the position was that yesterday the Committee determined that the registration of every club must be annually renewed, and that every new club must also apply for registration in accordance with the provisions of Section 36, but both the renewal of registration and the granting of new registration were to be subject to certain rights of objection, which rights were governed by Clause 37, now before the Committee, and which were practically comprised in subsection (1) the omission of which he rose to move. Subsection (1) provided that any person might lodge a notice of objection to an application for registration, or for the renewal of the registration of a club, on the ground that the club was used, or was to be used, mainly as a drinking club, or on any of the grounds mentioned in Section 28 of the Licensing Act, 1902, as amended by this Act. This was a power so far-reaching and so little considered that perhaps the Minister responsible for the Bill that day might see his way considerably to modify the clause. First of all, the subsection gave the right to any person, man, woman, or child, a person from any part of the United Kingdom, to object to the registration of a new club, or to the re-registration of an old club, and he was sure that if he suggested that such a power embodied the apotheosis of the most loathsome excrescence of our judicial system, *i.e.*, the common informer, the Solicitor-General would favourably consider the idea of considerably restricting the power. He noticed from the paper that there was a general consensus of opinion in all parts of the House that the power proposed to be given to any irresponsible person to interfere with the proposed formation of a club, or the re-registration of an old club, was something too extravagant to be tolerated. He pointed out that under this provision no club, however well conducted, could be sure of freedom from embarrassment every January. They might have the Licensed Victuallers' Protection Association, out of a feeling of injustice or grievance at the treatment of clubs as compared with public-houses, putting up somebody in every district every January to object to the registration or re-registration of a club. On the other hand, they might have the United Kingdom Alliance on grounds of temperance putting up somebody to object to the registration or re-registration of a club. What would be the result? Every time there was an objection it must involve a loss of a day's work to every member of the committee of a working men's club, and the attendance of the secretary and other officials before the Court for the purpose of justifying the registration. Although he was aware that by subsequent provisions an unsuccessful objector might be made liable for costs, there was no provision compelling them to make a deposit, and the result might be that the officials of a club would be called upon to give up one or two days work in attending the Court to justify the claim for registration or re-registration, and have no security that the expenses would be provided for by the objector if the objection failed. That was a very substantial objection, which he respectfully urged upon the attention of the Solicitor-General. Any party quite irresponsible, and having no interest in the district or in the club, might not only object to the club on the ground, if any, of the disqualifications contained in Section 28 of the Act of 1902, but under this Act he might object to its registration on the ground that it was intended to be a club used mainly for drinking purposes. But it was almost incredible that the draftsmen could have put such words into an Act of Parliament. How was any objector to form the opinion that a club was intended to be used as a drinking club? The objector could not expect to find it in the rules of the club, and was it not putting great embarrassment on every club that it should be put under the obligation every January of satisfying the Court that it neither was used, nor intended to be used, for drinking purposes? It was only the most respectable clubs which would suffer under this section. Discreditable clubs, knowing their character, would not trouble to dispute the allegations which might be well founded, but this clause gave scope for the growth of a professional class of objectors throughout the length and breadth of the land who might harass or embarrass every respectable club, and put upon it enormous expense and inconvenience, and then, before the case came on, withdraw the objection; if the objector could make satisfactory terms with the committee of the club to save them the inconvenience of attending the Court. He thought this was a most dangerous subsection. He was speaking in no hostility to the provisions generally of reasonable control over clubs. But he was suggesting to the Committee that they should not give the right to anybody in the Kingdom who perhaps had no interest in a district or a club, to allege in open Court that a club proposed to be registered or re-registered was intended to be used for drinking purposes. If they gave such a right every Mrs. Grundy, Mrs. Chant, Chadband, and Stiggins in the country would have full power to jeopardise the existence of every club. The provisions of the Act of 1902 were surely sufficient to protect the welfare and reputability of any club. If this clause was allowed to stand, the new year would be made hideous by the opposition of the enemies of clubs. He wished to impress upon the Committee, and especially upon hon. Members on the Ministerial side of the House who took such a keen interest in this question from the temperance point of view, that they could not put a better weapon into the hands of the licensed victualler who considered himself aggrieved by the immunity of clubs from police supervision than by inviting him every January to harass and embarrass clubs either himself or by a nominee by objecting to their registration. The best clubs in the Kingdom—and he spoke as the representative of a constituency which contained perhaps more clubs than any other constituency—had in connection with them a variety of sub-clubs providing for sick benefit, athletics, and other things. How could any security be obtained on the part of the sub-clubs if every January they might be embarrassed in the way he had indicated? If there was to be the right of objection let the Government say that the person objecting should be a person in some responsible position or having some interest in the matter, and let him be liable to make a deposit in Court as evidence of his *bona fides.* The Government had given many evidences of their desire to accede to the suggestions of the Committee, and he hoped that in this matter they would make one more concession. He thought it was Zimmermann who said—

> "The wisest of men need never be afraid of saying he has changed his mind, which is simply another way of saying 'I am wiser to-day than I was yesterday.'"

Now that they had the wisest of all Governments in power he asked them to give due weight to the suggestion he had made. He begged to move.

Amendment proposed—

"In page 18, line 22, to leave out subsection (1).—(*Mr. Bottomley.*)

Question proposed, "That the word 'Any' stand part of the clause."

THE SOLICITOR-GENERAL (Sir S. EVANS, Glamorganshire, Mid) said the Government had had reason to change their mind and where they had done so they offered no objection at all to make a change in the Bill. In regard to this subsection the mind of the Government was that it should be in the Bill and they remained of that mind still. The subsection was absolutely necessary. The object of having an annual renewal of registration of clubs was that there might be some opportunity of stating objections to them. That was the whole point which was properly raised by this Amendment. But he was aware that the speech of the hon. Member was based upon the provision with regard to the persons by whom and the circumstances under which objections were to be made. There were various amendments on the Paper with regard to the persons, and so on, and he thought these matters might perhaps be better discussed when the Amendments had been reached. He would refer incidentally to one or two of the matters mentioned by the hon. Member, but he would not attempt to forestal a discussion of the particular Amendments. The hon. Member said that "any person" meant any man, woman, or child. He thought the hon. Member was totally wrong in thinking that people acting under this Act of Parliament would be more unreasonable than they had been in their action under other statutes. It might be said that they would be so, but it was found that when a Bill became law nothing of the kind had been the practice. He thought that since the Licensing Act of 1828 was passed, and certainly since the Act of 1872 was passed, any person could object to the renewal of any public-house or hotel licence. There were 90,000 of these licences and there were scores of thousands of them coming up for renewal every year, and although exactly the same right of objection as that provided for in this subsection existed in regard to those licences it was found that nobody suffered from that, even although the man who did object to a renewal was not subject to the penalties which would be imposed under this Act if an objection failed.

MR. BOTTOMLEY: Is not that limited to the past conduct of the licensee with regard to the management of the house?

SIR S. EVANS said an objector had the right generally to oppose the renewal of a licence on any ground he liked. What had happened in connection with the Licensing Acts afforded ample evidence that the people of this country did not act unreasonably, whatever their theoretical power might be. He had no hesitation in saying that apart from the provision which the Government had made to prevent such embarassment as the hon. Member had indicated, nothing of the kind would happen with regard to the renewal of the registration of respectable clubs.

MR. AUSTEN CHAMBERLAIN (Worcestershire, E.) said that the Motion made by the hon. Member was to omit subsection (1), but the Question put by the Chairman was that the word "any" stand part. What they were discussing was whether any person ought to have the right to make those objections. He was not quite certain what was the attitude of the hon. Member on Clause 36, passed the previous night. He thought the hon. Member voted against it. He took a different line and voted with the Government. He spoke, therefore, as one who was not hostile to a well-reasoned and well-founded attempt, if it could be shown to be so, to secure the good conduct of a club, or the suppression of a bad club without unduly harassing clubs of a kind which none of them wished to abolish. He submitted that it was wholly unnecessary for the purpose of securing the suppression of bad clubs, or the taking of objections in cases where they ought reasonably to be taken, to put the power into the hands of "any person." He objected to both the reasons which the hon. and learned Gentleman gave for the course the Government had taken. The hon. and learned Gentleman said, in the first place, that though it might be argued that the unreasonable actions could be taken under the provisions of this clause, in practice they would not be taken. The hon. and learned Gentleman knew that such evil consequences might follow or that they might be theoretically educed from the terms of the subsection. But only a little time ago the hon. and learned Gentleman was telling the Committee that it was necessary to guard against the action of temperance faddists.

SIR S. EVANS: It was not I who said it.

MR. AUSTEN CHAMBERLAIN: Then it was the Prime Minister that said it—a higher authority.

SIR S. EVANS: It was the Leader of the Opposition.

MR. AUSTEN CHAMBERLAIN said he did not know whether the phrase was first patented by his right hon. friend beside him or by the Prime Minister, but the Prime Minister speaking from the Government bench in defence of one of the Government proposals, said that it was a necessary protection against extreme temperance faddists.

*MR. LEIF JONES (Westmorland, Appleby): That was in inverted commas.

MR. AUSTEN CHAMBERLAIN: What did it matter if it were in inverted commas? There were extreme temperance faddists, and the Prime Minister thought it was necessary in certain cases to protect those who were open to their attacks. He himself thought it was necessary to protect respectable *bona fide* clubs against the mischievous interference by those faddists in the present case. The hon. and learned Gentleman said: "Look at the facts; it is possible for any person to object to a public-house in terms of greater immunity than I have inserted in this clause." He admitted that they had greater immunity in making objections to a public-house; but he utterly denied the imputation in the speech of the hon and learned Gentleman that that power had never been used improperly, vexatiously, and in the way of persecution of people against whom no serious allegation could be made. He was not at all indisposed to support the Government in providing that there should be reasonable opportunity for responsible people to raise objections against the re-registration of an old club or the registration of a new one; but he could not go with them if they insisted in giving this power to any irresponsible meddlesome person who thought it was his business to intervene in the matter. Anything that could be done by the exercise of this power could be done if the use of the power was confined to the police. If they gave the police the right to intervene it would enable any person who thought he was aggrieved to lay his case before the police, and if the police saw any good grounds for the objection they could take action. That would provide greater safeguards against anything like a scandalously frivolous objection, and it would not expose *bona fide* clubs, with committees of working men, engaged all day, and very likely with no secretary or competent person to represent them in Court, to being haled and harried before the Justices without any good cause at all. He submitted that this matter was germane to the Amendment to leave out the word "any."

SIR S. EVANS: A superintendent of police would be included in "any person."

MR. AUSTEN CHAMBERLAIN submitted that his argument was germane to the question put from the Chair. He suggested to the hon. and learned Gentleman that he would facilitate business by at once expressing the intentions of the Government.

*SIR FRANCIS CHANNING (Northamptonshire, E.) said he wished to call the attention of hon. and right hon. Gentlemen in all parts of the House to the fact that this subsection in the Bill was identical with the clause passed by the Conservative Ministry in the 28th Section of the Licensing Act of 1902, which embodied all the conditions the violation of which led to the extinction of a club, and the withdrawal from registration. After the decision of the Committee last night to which the party opposite assented, it seemed to him that it would be ludicrous for them to go back on the Act of 1902, which gave the same jurisdiction as in this clause, and the same right to any single person whatever to make a complaint in writing, and to set in motion the machinery for striking a club off the register. He submitted that on the broad ground of common sense, and on the ground of following the precedent of 1902, it would be absurd to adopt now any other procedure. It should be remembered that all those Amendments which now stood on the Paper had been put down under the supposition that the Government were proceeding to hand over the clubs to the licensing justices, whose procedure was different and who would not take evidence on oath. But the Amendments which the Government had since accepted, insuring a judicial procedure on oath with costs against an unreasonable complainant, doubly covered the case of all the objections raised, and it would be the height of unwisdom to go back on the course adopted in 1902. He hoped the Government would remain firm to their own Bill.

MR. A. J. BALFOUR (City of London) said he did not wish to add anything in the main question to what had been said by his right hon. friend, but he hoped the Committee would not be misled by this reference to the Act of 1902. The hon. Member opposite had spoken as if they on that side of the House were more or less bound by what he called the 1902 precedent. The Act of 1902 was no precedent at all. In the first place that Act did not deal with the prospective action of clubs, or as if anybody would come forward and say, "I think this is going to be the future action of the club, and I do not think you ought to allow it to start." If they were going to give such increased powers to the objector they ought to consider more carefully who the objector was to be. The Government had laid it down in the succeeding clauses that there was to be an annual revision of the registration. The whole case was to be brought up every year and objectors were to be invited. That really made a great difference. If it did not make a difference why did the Government fight over it last night? If they did not think it would invite criticism of the club and bring it into focus and throw an annual responsibility on the world at large to deal with these clubs, why did they spend the whole of the previous night in fighting over the question? The Government believed that by making the registration annual they were adding to the efficiency of the machinery by which revision of clubs was to be carried on. They might be right, and he rather thought they were right, but whether it was right or wrong it was certainly more stringent, and when they were making such powers more stringent and making it easier for members of the public to object, he really thought they were perfectly free to argue, as no doubt his hon. friends would argue, that, as they encouraged objections, they ought to take every precaution that the objections should not be frivolous.

*SIR J. DICKSON-POYNDER (Wiltshire, Chippenham) did not think that any serious objection could be taken to the proposal of the Government, as proper protection had been provided. The object they had in view was to get at the club mainly used as a drinking club, because there was no doubt that correspondingly as they decreased licensed houses they would have to allow outlets in some other direction for drinking facilities to be granted. Therefore he thought it was very important now that they were drawing this Act of Parliament that it should be laid down specifically in some form of test what a drinking club really was. There were a great many clubs that were most respectably conducted in different parts of the country, but he thought all would agree that the amount of alcohol consumed in those clubs was to a great extent to be deprecated. If that was the case under the existing law, much more would it be so under the operation of the new law, because they were going greatly to accelerate the reduction of licensed houses, and they would therefore equally accelerate the tendency towards creating some other establishments where drinking facilities must be granted. It would unfortunately be out of order for him to go into detail in regard to any suggestion of a test. There were subsequent Amendments on the Paper which he was afraid would not be reached that evening, but might he point out that these words must lead to great difficulty in the exercise of the discretion of the magistrates, and would certainly lead to a great lack of uniformity in their interpretation throughout the country. He would like to say something more definite as to the test to guide magistrates in the future, when they were to grant a registration for a *bona fide* social club, or for something which might develop into nothing more than a drinking club. He thought, however, some more guidance should be given. A test might be imposed in the direction of refusing the registration of a club which, upon a scrutiny of its books, was shown to be deriving more than half of its revenue from the profits on alcohol. That comparison would be fair, and could be easily made.

*THE CHAIRMAN said the hon. Member, instead of discussing the Question before the Committee was discussing an Amendment of his own.

SIR J. DICKSON-POYNDER said he bowed to the ruling of the Chair, although he was afraid they would not have an opportunity of discussing the Amendment referred to, because it would never be reached. He only wished to say that he generally agreed with this clause, but he would like to add something of a more definite character in the nature of a direct test, so that the magistrates in the future could draw the line between social clubs and drinking clubs.

MR. LAMBTON (Durham, S.E.) was understood to support the Amendment of the hon. Member for South Hackney. The clause did not in the least cover the case of frivolous objections, because such objections might be made and withdrawn at the last moment, and the persons making them would escape the payment of the costs. Persons might libel any club and escape without any penalty, so long as they withdrew their complaint at the last moment. It was hard that people should be able to make these attacks upon a club with impunity, and some words were needed to meet the case of frivolous objections.

MR. SEAVERNS (Lambeth, Brixton), Club was understood to say that the and Institute Union had declared in favour of a duly authorised public officer being substituted for "any person" as the initiator of complaints. He was aware that the police were most reasonably objected to as inspectors by clubs, but the question of lodging complaints stood in a different category. He submitted that it would cast great expense upon clubs if any person who liked was able to go and lodge complaints, and it appeared to him that it should be some authorised person, or that the complaint should be lodged at least by a number of people who lived in the neighbourhood and who felt themselves prejudiced by any noise or disturbance which the club created. He hoped that the Government would look with a favourable eye on the suggestion that the words "any person" be eliminated and some other responsible authority put in.

MR. RAWLINSON (Cambridge University) wished to appeal to the Government not upon a technical point but upon one which he endeavoured to put yesterday. The hon. and learned Solicitor-General discussing the whole subsection missed out what he would venture to suggest was the most important part of the clause. For the first time they were giving power to anybody who did not want the renewal of a licence of a club to object on the ground that it was used "mainly as a drinking club." He wanted to know what that meant. It might mean one of two things. Some people looked upon this as the keystone of the sincerity of the whole Bill. Was it meant to stop drunkenness and the temptation to it among the body politic, or did it pick upon an unpopular class, the brewers, and deal with them? It all turned upon the definition given to this expression, "used mainly as a drinking club." He would give a description of a club which he had no doubt was a thoroughly well conducted one. It was affiliated with 1,000 other clubs in London and the provinces, so that a member could get any refreshment he desired elsewhere when he was not in his own club. The rules were well drawn up and the balance sheet was excellently kept. From the latter he saw that in the course of six months between £1,800 and £1,900 had been expended in liquors, wines, and spirits. Those were sold at a profit—a perfectly proper profit of 30 or 40 per cent.—amounting to about £2,000 a year. The money went very largely in the provision of entertainments, which were obviously of a high-class character, involving considerable payments to the artistes who attended on Sundays and other days. It was perfectly well conducted, but the whole of the profits came from the sale of intoxicating liquors. [An HON. MEMBER: How many members?] The amount which came from subscriptions was considerable—some £400 a year. [An HON. MEMBER: What is the subscription?] It would take a little time to work out. The subscription was 1s. a month, and for that 1s. amongst other things there was a convalescent home and a benevolent fund, which were dealt with separately. He was only taking this club as an example of a perfectly well conducted club. It happened to be political, but there was nothing in that, because the whole expenditure on politics came to under £15 a year, so he was not biassed by the political aspect, and cared not whether it was Conservative or Liberal: what he wanted to know was whether or not the Government by that expression "used mainly as a drinking club" meant in any way to hit that class of club. If they did mean to hit it they were embarking upon a less popular entertainment than trying to injure an unpopular class called brewers. If they were doing that they were taking their courage in both hands, and embarking upon a crusade which they would find a very unpopular one, against excellent clubs of this kind which were in direct competition with every public-house in their neighbourhood. The members of these clubs went for country walks, and as they were affiliated to 1,000 other clubs, it would not be very long before they came to another club which they could enter. In his judgment the real interpretation of these words would form the keystone of the Bill. Did the Government mean to take the courageous line that might be there indicated of taking clusb such as he had referred to, either for purposes of revenue or for purposes of being objected to on the same ground, or was this merely a vindictive term which was to be left to the magistrates to determine? He attached great importance to the point. It was not a technical point, but one which went to the heart of the Bill. Let them not leave these words for the justices to determine. Were they to include merely the shebeens, or did they include every honest club the bulk of whose revenue came from the sale of intoxicants? Upon the answer to that question would largely depend how he registered his vote.

MR. MARKHAM (Nottinghamshire, Mansfield) said he approached this question from the point of view of one who believed that in many cases clubs were only drinking shops, and that in the case of such clubs it was desirable to impose every possible restriction. There was no doubt that the Act of 1902 provided that where a club that had been registered was used, or was going to be used, mainly as a drinking club, a Court of Summary Jurisdiction might, if it thought fit, make an order striking it off the register. But, so far as a club being used solely or mainly as a drinking club was concerned, he agreed with the hon, and learned Member opposite that the whole of this clause depended very largely upon what constituted a drinking club. He would say that a licensed house closed under the Act, for which compensation was paid, and immediately opened on the following day as a club tied to the same brewers who had received compensation for the closing of the house, could only be described as a club mainly used as a drinking club. That was a case which had come to his notice. No brewer would start a club except for the sole purpose of drink being consumed. Any person could go to the Court and say he knew of his own knowledge that the people who ran a particular club ran it as a drinking shop, and that would be evidence for the magistrate to take into consideration when deciding whether a licence was to be granted or not. He had no hesitation in saying that this clause as it stood was necessary. Whether it was necessary to substitute "ratepayer" or some other word for "person," he knew not. But he had no hope that the Government were going to stick to the Bill, because he had heard that they were going further to weaken it in the case of these drinking clubs. He trusted that the Committee would insist on these regulations, which were essential to prevent people, as they were at present, being continually inconvenienced and disturbed at all hours of the day and night, on Sundays as well as other days, by the people who used these unlicensed grog shops.

MR. HUNT (Shropshire, Ludlow) said he had seen a deputation from the largest club in his constituency, and they were so frightened of the effect of the Bill that they had not only stopped building very necessary extra room, but they insisted on his going down to the club and talking about it to them, although, being miners, they were almost all on the other side in politics. However, it had done him no harm. They were disposed to object to a single person being able to object to a club, and pointed out that any member who was expelled might take the first opportunity of revenge by complaining to the magistrates and endeavouring to get the club struck off. They suggested that there should be instead some well recognised authority to object to the club. He thought it would be very difficult to settle what was a drinking club and what was not.

MR. RIDSDALE (Brighton) said it had been suggested by speakers on the Liberal benches that the Government were going to weaken the clause. Speaking from the point of view of one who was not a teetotaller, he regarded the strengthening of this clause for this class of club as absolutely necessary. He had given his support to the Bill at first with reluctance but with rather greater pleasure as it proceeded, owing to the way in which the Government were handling it. If, however, he found at this late stage there was going to be any weakening in regard to this clause he should regretfully have to vote against it. With regard to the suggestion that the words "policeman or ratepayer" should be substituted for "any person" as at present in the Bill, he trusted that the Government would accept no such Amendment. They wished to keep the information as general and as wide as possible, and if there was one class of person more than another——

*THE CHAIRMAN said it was very inconvenient to discuss the question in detail on this Amendment. The hon. Member was again going into the question of the "person."

MR. RIDSDALE said he would entirely defer to the ruling of the Chair. There was one point, however, which had been left out of consideration altogether, and which had reference to wives of club members. He thought they ought to be considered in the subsection, and that full power should be given to the wife of any member of a club to lodge information that her husband went to his club and got drunk. He thought it highly desirable that this power should be retained in the subsection.

*THE CHAIRMAN said this arose under the word "person," which should be discussed on a later Amendment.

MR. RIDSDALE said he would merely confine himself, in conclusion, to a general appeal to the Government not in any way to weaken this subsection, but as far as possible strengthen it.

*MR. G. D. FABER (York) said the hon. Member for the Mansfield division had said he had reason to believe that there was to be some weakening by the Government of this clause of the Bill. That was news to him and his friends, and he believed also to a great many Members on the Government side. He was sure that the hon. Member for Appleby, who was one of the great protagonists of the Bill, would have a great deal to say if that were the case. The hon. Baronet the Member for the Chippenham division of Wiltshire had put his thumb on the central difficulty experienced by the Government, because the inevitable tendency of the Bill must be to drive men from the public-houses to the clubs. What did the Government mean when they said "drinking clubs"? Was that expression merely intended for the shop-window and as an advertisement, and to delude temperance men throughout the country and enable them to go away—honestly, though mistakenly, go away, and say that the Government Bill would suppress drinking clubs? The fact was that what the Government were really doing was merely shifting the difficulty and onus on to the Court to decide, because somebody would have to determine the meaning of the phrase "drinking clubs" at some time or other. It might mean something or nothing, according to the view the Court took. He would be extremely curious to hear what the Government really meant by the phrase. The provisions of the Act of 1902 dealing with clubs had been referred to, but the phrase used there was nothing like so vague as that in the present Bill. It was "frequent drunkenness on the club premises." That was a definite issue upon which any mind, judicial or otherwise, could come to a conclusion. To define the words in the present Bill required supernatural ability, for not only had the interpreter an extraordinarily vague phrase to deal with, but he had to be prophetic as well, having to decide whether the club "is used or is to be used" merely as a drinking club. It must be clear to anybody who really wished to grapple with the evil that a different form of expression must be put into the Bill. The question under the Act of 1902 was once and for all, whether the club was respectable or not; but in the present Bill there would be and was intended to be a possibility of objection every year; The Act of 1902 worked well, because although any person could make a complaint, nothing need be done "unless the Court grants a summons on the complaint." Under this Bill, however, the Court could not stop objections. The question of costs was an important one in this connection. They would be almost certainly incurred, because notice of objection could be lodged by any person against any club. If the committee of the club were wise they would at once take steps to meet the objection, and would probably consult a professional adviser. After thus running up a considerable bill, they might find that at the last moment the objection was withdrawn. Would there be power to deal with the question of costs that had already been incurred if the objections were withdrawn before the case went before a Court of Summary Jurisdiction or the Stipendiary ?

*THE CHAIRMAN said this did not arise on the subsection.

*MR. G. D. FABER said he would leave the matter there. If the point was a material one, he was sure that the Solicitor-General would give them the benefit of his counsel when the proper Amendment was reached.

*MR. REES (Montgomery Boroughs) hoped that the advice given by his hon. friend the Member for Brighton in regard to clubs, which had hitherto been the last retreat of distressed manhood, would not be adopted by the Committee, lest clubs in future became a great cause of estrangement between husband and wife. He thought the words of the subsection were very wide, and there was nothing in it to make it more difficult for a frivolous or malicious person to make use of it for purposes for which it was not intended. It would not be in order now to consider whether a police officer would be the better person to object, or whether that privilege should be left to that wretched man the ratepayer. The subsection was certainly very wide indeed, and if it was to effect the object in view, it would undoubtedly lay clubs open to very unadvisable interference. If they considered the different way in which the subsection would operate in London compared with small towns in the country, they would see how absurd it would be in the case of political clubs like the "Carlton" or the "Reform," or non - political clubs like "The Travellers" and "Brooks's" that a person should be able to come forward and make objections in the manner contemplated. They were clubs with committees, out of which a front bench on either side could be easily formed. Yet under this section any person might come forward——

*THE CHAIRMAN said the hon. Member was discussing a detail outside his ruling. It was advisable that he should not discuss that point until they had the Amendment before them.

*MR. REES said it was due to his want of ability to keep within the ruling, not that he desired to transgress it. He would be in order, he presumed, in discussing the question of drinking clubs. He thought it was impossible to give a definition of a drinking club which would meet every case. A drinking club, if they took the words in their actual sense, meant a club where anyone drank. Therefore the question was, how did they drink ? The hon. Baronet the Member for North-West Wilts had suggested as a definition "where more than half the revenue is derived from the sale of intoxicating liquors." But people who frequented clubs were not such children as to allow themselves to be checked by a provision like that. How easy it would be for them to make the subscriptions high, and the price of drink low, so that they could hide the profits with the greatest possible ease. Nor did he think it was possible to say to what extent drinking in a club was to prevail in order to constitute it as a "drinking club." He remembered a case—it was not in this country—where the president of a club of Europeans in India gave advice to a young magistrate newly arrived in the country. He said: "If you wish to get on and keep your health in India do not drink too much by day or too little by night." A statement of that kind might be got hold of by a certain class of person, who would say: "That is a man who favours drink." But he was a man of the most blameless life and conversation and greatly respected, and looking back from the atmosphere by which he was now surrounded, he could think of nothing whatever against that man except that he was the son of a Peer. He remembered also the case of a candidate who was urged to vote for total prohibition. He said modestly: "It would ill become me to vote for total prohibition, because I fall short of that standard by a glass of whisky or a pint of wine a day." One of his hearers, an estimable man for whom he had the greatest respect, said: "This candidate actually admits he drinks a glass, or half a bottle too much every day." From his own point of view that gentleman was perfectly consistent. He thought one glass was a glass too much, and half a bottle half a bottle too much, and he was entitled to go away and say what he did. He (Mr. Rees) happened to be the candidate. These cases illustrated extremely well the difficulty of defining "drinking clubs." In both these cases there was not an hon. Member who would not have had the greatest respect for these two gentlemen, yet a temperance extremist would put one down as a profligate and drinker, and a moderate drinker would put down the other man as a fanatic. It was impossible to make any definition of a drinking club which would satisfy the requirements of both sections. He hoped the Government would not screw the section up into something which would give great opportunities to the ill-disposed and malicious and the ultra-political to come forward and bring charges against institutions which could not properly be sustained. Take the case of small country towns. There was in a small town perhaps a Conservative, and perhaps not a Liberal club. The Liberals thought they would have a club, and someone came forward and said: "That Liberal club is likely to be used mainly as a drinking club." The exact contrary case also might of course occur. A section like this made it absolutely easy for anyone to say that. In small places where party feeling ran high it was by no means unlikely that cases like that might actually occur. The Solicitor-General had said they were not to suppose that everybody would act outrageously, because the section gave them the opportunity. He (Mr. Rees) did not suppose that, but he knew there were innumerable people about who, when they were obsessed with one idea would go to lengths which would surprise all their friends and acquaintances. He should not be in the least surprised to see the section made use of in the manner which he suggested, and which he was sure the Government did not desire.

MR. BOTTOMLEY, in view of the Chairman's ruling, which had tied the hands of the Committee, asked leave to withdraw the Amendment. If they could consider what class of objectors would be qualified to exercise these powers they would probably be doing better work.

Leave to withdraw refused.

MR. YOUNGER (Ayr Burghs) said he wanted to say a word on the very important point raised by the hon. and learned Member for Cambridge, and emphasised by the hon. Member for Montgomery, in reference to clubs described in this subsection as clubs used mainly as drinking clubs. He had had since the Bill was introduced the half yearly report of a very large workmen's club, most respectably conducted in every way, and he understood with a very large membership. To anyone reading them casually the figures would imply that it was mainly used as a drinking club, while as a matter of fact, though drink was largely consumed, there was nothing to be said against it. The total cash receipts for six months from 1st July last year to 31st December was £3,391. Of that total, £3,157 was drawn for liquor at the bar, £22 from billiards and £112 from subscriptions. In the payments on the other side of the account only £60 was paid for food, and £1,817 for liquor. The liquor account showed a profit of £1,091 for the half year which was, of course, used in various ways—for management, excursions, and so-forth. On the face of it he should say anyone seeing these figures would say: "This club surely is mainly used for drinking." He did not suppose the Government proposed to touch a club of that sort, but it appeared to him it would certainly touch it if the section stood in this vague way.

MR. LUPTON (Lincolnshire, Sleaford) rose in his place, and claimed to move "That the question be now put;" but the Chairman withheld his assent, and declined then to put that Question.

EARL WINTERTON (Sussex, Horsham) said he wished to refer to one question put by his hon. friend the Member for Cambridge. It really brought them to grips with the whole club question. It was simply this: What was, not the legal meaning of the words "mainly used as a drinking club," but the meaning attached to them by the Government? He ventured to think that was the crux of the whole question with regard to the club clauses. He wished to make one comment on the action already taken by the Government. Yesterday the Solicitor-General or the Under-Secretary for the Home Department said it was not desirable to tie themselves to a meaning that a club used mainly as a drinking club was one which in the words of the Amendment then moved "derived half of its profits from the sale of intoxicating liquor." He thought they ought before they proceeded to a division to hear from the Government what meaning they attached to the words "mainly used as a drinking club." There was a real danger of objection being raised to the registration of a club merely from political prejudice so long as they had this loose definition in the Bill. It would be open to any person, on political grounds, to subject a respectable club to all sorts of annoyance, inconvenience, and expense. He appealed to the Government to acquaint the Committee with the meaning they attached to the words "mainly used as a drinking club."

SIR S. EVANS said he was sure the Committee would absolve him from any want of readiness, but he hoped the noble Lord would not ask him to reply on it now. He would not be in order in doing so. The point really upon the omission of the subsection was whether or not there should be the possibility of making the objection. As to the persons who might make it, that had been excluded by the Chairman's ruling, and as to the grounds on which it might be made, when they came to that he would be ready to express his opinion for what it was worth.

MR. A. J. BALFOUR said he did not dissent from the spirit which animated the hon. and learned Gentleman at all, but he would recognise that it was just possible that they might not reach the provision he had referred to. Of all the points raised in connection with clubs, undoubtedly this phrase—"mainly used as a drinking club"—was the most important. The illustrations which had been given by the hon. Members for Cambridge and Ayr Burghs were quite sufficient to show what extraordinary difficulties lurked behind that phrase, and though he himself would be extremely glad to go to a division, they had better deal with it now, so vital did he regard it as being.

VISCOUNT MORPETH (Birmingham, S.) said he did not attach any importance to the persons who objected, but he did object to the procedure. It seemed to him that it was totally inapplicable to clubs, for this reason. In the past they all knew those who were sometimes described as temperance fanatics or otherwise as conscientious objectors objected to public-houses on general grounds, and proceeded against individual public-houses on general prohibition grounds. Clubs would be exposed to a double fire under this procedure, as was shown by the hon. Member for Rhondda Valley the other day when he described all the clubs in his district as mere drinking dens. It was quite obvious that in that district those who approved of prohibition would object on general grounds to all clubs, quite regardless of the character of the individual club. Clubs were the trade rivals of public-houses, and, consequently, they would be exposed not only to the conscientious attacks of the prohibitionists, but also to the attacks of those who were their interested trade rivals. It was because the clubs which had existed for years among the richer classes had now spread to the poorer classes that they were exposed to all this hostility, and they deserved some protection under this clause. He would welcome any proposal from the Government which would make clubs more secure than they would be if the desires of some hon. Members opposite were placed upon the Statute-book.

*MR. RENWICK (Newcastle-on-Tyne) said the fact that the Solicitor-General was not prepared to define what was meant by the phrase "used mainly as a drinking club" showed that he was in as great a difficulty as they were. He attached very great importance to that definition because he was going North for the purpose of opening a new club.

*THE CHAIRMAN: The hon. Member is not in order because he is merely repeating what a great many other hon. Members have said. The Motion is to leave out the first subsection. The question has been asked what meaning the Government attach to certain words and the Solicitor-General has promised to reply at a later stage. I do not think we can go on repeating these arguments.

MR. RENWICK said he attached the greatest importance to those particular words "used mainly as a drinking club" and he failed to see how he could argue the point without referring to them. Other hon. Members had spoken very fully upon them and he asked the Chairman to reconsider his ruling.

*THE CHAIRMAN: The repetition of these arguments has become tedious and I must have regard to that fact. I do not think the hon. Member should go on with that line of argument.

MR. RENWICK said that under those circumstances he would refrain from making a speech at all.

MR. AUSTEN CHAMBERLAIN thought it would be most convenient to take the division now and proceed later on to discuss this important question. He had hoped that the Solicitor-General would have given them an answer which would have relieved them of the necessity of taking a division.

SIR S. EVANS said it would not be in order for him to do so.

*MR. H. H. MARKS (Kent, Thanet) said the discussion had made it abundantly clear that a very strong opinion was held in various quarters of the House that it was desirable that something should be done to reform the management of a certain class of clubs. He shared that view and he should share it more cordially if the reform included cricket, football, chess and draught clubs, with which many hon. Members were familiar. If it was necessary to introduce regulations for the better management of clubs, what was the proper way to bring it about? Surely it was by importing into this Bill direct, distinct, and definite instructions, and that was precisely what the clause under discussion did not do. Apparently the authors of the Bill were not desirous of incurring the ill-will of the clubs or those concerned, and therefore they had devolved upon other shoulders the painful duty of applying to clubs vexatious prosecutions and petty annoyances which they hoped in the long run would result in their absolute destruction, or at any rate inflict upon them very grave injury and inconvenience. Upon whom was it proposed to devolve this duty? It was to devolve upon anyone, regardless of age, sex, *status* or residence——

*THE CHAIRMAN: The hon. Member is not confining himself to my ruling.

*MR. H. H. MARKS said that under the general provisions of this clause it would be competent for anyone to go from one end of the country to the other filing objections to clubs. Men of straw might do this——

*THE CHAIRMAN: If the hon. Member persists in discussing that point I shall have to consider the word "person" settled on this Amendment.

*MR. H. H. MARKS said the clause as it stood would inevitably have the effect of encouraging complaints against clubs. Those complaints, however numerous or trivial, no matter how inspired or from whom they came, would have to be considered by the Court to which they were made. That would involve a steadily recurring annual expense. This clause would render it possible for trade and political rivals and others animated by merely spiteful motives to put a heavy annual burden upon clubs throughout the country. It might be desirable and he thought it was desirable to curtail the number of clubs; and it might also be desirable to improve the management of many clubs, but surely it could not be desirable to put into the hands of all members of the community the power to persecute, harass, annoy, and put to unnecessary expense the members of clubs from spiteful motives which the Court would have no power whatever to check. Under ordinary circumstances, when a man was brought before a Court of law, if there was any motive shown it was taken into consideration; but under the operation of this clause, however, unworthy, mischievous, or spiteful the motive of a plaintiff might be, the Court had no power to take cognisance of any one of those considerations, it was bound to entertain the complaint and thus play into the hands of the spiteful interloper. On those grounds he thought the Motion to exclude this clause should be carried by the Committee.

MR. CAVE (Surrey, Kingston) said he wished to explain what their opposition to the subsection meant. It did not mean that they were opposed to the reasonable regulation of clubs or to annual registration. The reason he was going to vote against the subsection was that it contained more than one element he objected to. It gave the power to "any person" to object. It authorised an objection on the ground that a club "was to be used" as a drinking club. It laid down no rule for ascertaining what a drinking club was. These and other provisions were so vague and likely to be so oppressive to clubs that he could not support the subsection.

Question put.

The Committee divided:—Ayes, 262; Noes, 78. (Division List No. 329.)

AYES.

Adkins, W. Ryland D.
Agar-Robartes, Hon. T. C. R.
Agnew, George William
Ainsworth, John Stirling
Allen, Charles P. (Stroud)
Armitage, R.
Asquith, Rt.Hn.Herbert Henry
Baker, Sir John (Portsmouth)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow, Sir John E. (Somerset)
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beauchamp, E.
Beck, A. Cecil
Bellairs, Carlyon
Benn, W. (T'w'r Hamlets, S.Geo.
Berridge, T. H. D.
Bethell, Sir J. H. (Essex, Romf'rd
Bethell, T. R. (Essex, Maldon)
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Brunner, Rt Hn Sir J. T (Cheshire
Burt, Rt. Hon. Thomas
Buxton, Rt.Hn.Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cheetham, John Frederick
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Compton-Rickett, Sir J.
Corbett, C H (Sussex, E.Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cox, Harold
Crooks, William
Crosfield, A. H.
Crossley, William J.
Curran, Peter Francis
Dalziel, James Henry
Davies, David (Montgomery Co.
Davies, M. Vaughan- (Cardigan
Davies, Timothy (Fulham)
Davies, Sir W. Howell (Bristol, S.
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras, N.
Dickson-Poynder, Sir John P.
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Erskine, David C.
Evans, Sir Samuel T.
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Findlay, Alexander
Freeman-Thomas, Freeman
Fullerton, Hugh
Gibb, James (Harrow)
Glen-Coats, Sir T. (Renfrew, W.
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Grant, Corrie
Greenwood, G. (Peterborough)
Gulland, John W.
Gurdon, Rt Hn. Sir W. Brampton
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose
Hardie, J. Keir (Merthyr Tydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey, W. E. (Derbyshire, N.E.
Harwood, George
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Hedges, A. Paget
Helme, Norval Watson
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hooper, A. G.
Hope, W. Bateman (Somerset, N
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Jackson, R. S.
Jacoby, Sir James Alfred
Johnson, John (Gateshead)
Jones, Sir D. Brynmor (Swansea
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lamont, Norman
Layland-Barratt, Sir Francis
Leese, Sir Joseph F. (Accrington
Lever, A. Levy (Essex, Harwich)
Levy, Sir Maurice
Lewis, John Herbert

Lloyd-George, Rt. Hon. David
Lough, Rt. Hon. Thomas
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, J.M.(Falkirk B'ghs
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah (Down, S.
M'Callum, John M.
M'Crae, Sir George
M'Laren, Sir C. B. (Leicester)
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Mansfield, H. Rendall(Lincoln)
Markham, Arthur Basil
Massie, J.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morton, Alpheus Cleophas
Murray,Capt.Hn A.C.(Kincard.
Myer, Horatio
Napier, T. B.
Nicholls, George
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Grady, J.
Parker, James (Halifax)
Partington, Oswald
Perks, Sir Robert William
Philipps, Col.Ivor(S'thampton)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pirie, Duncan V.
Ponsonby, Arthur A. W. H.
Price, C. E. (Edinb'gh, Central)
Pullar, Sir Robert
Radford, G. H.
Rawlinson,John Frederick Peel
Rea, Walter Russell (Scarboro'
Redmond, William (Clare)
Rees, J. D.
Richards, Thomas(W.Monm'th
Richards, T. F.(Wolverh'mpt'n
Richardson, A.
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, Sir J. H. (Denbighs.)
Robertson,Sir G.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rose, Charles Day
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Scott, A.H.(Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Shackleton, David James
Shaw, Charles Edw. (Stafford)
Shaw, Rt. Hon. T. (Hawick,B.)
Sherwell, Arthur James
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn. A.Lyulph(Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Summerbell, T.
Sutherland, J. E.
Talbot,Rt.Hn.J.G.(Oxf'd Univ.
Taylor, Theodore C. (Radcliffe)
Tennant, Sir Edward(Salisbury
Tennant, H. J. (Berwickshire)
Thomas, Abel (Carmarthen, E.)
Thomas,Sir A. (Glamorgan, E.)
Thomasson, Franklin
Thorne, G. R. (Wolverhampton
Thorne, William (West Ham)
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Walsh, Stephen
Walters, John Tudor
Walton, Joseph
Wardle, George J.
Wason,Rt.Hn.E (Clackmannan
Wason, John Cathcart(Orkney)
Waterlow, D. S.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White,J.Dundas(Dumbart'nsh.
White, Luke (York, E. R.)
Whitley, John Henry (Halifax)
Whittaker,Rt Hn.SirThomasP.
Wiles, Thomas
Wilkie, Alexander
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Williamson, A.
Wilson, John (Durham, Mid)
Wilson, J. W. (Worcestersh.N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood,Rt.Hn.SirAlex.F
Anstruther-Gray, Major
Ashley, W. W.
Balcarres, Lord
Baldwin, Stanley
Banbury, Sir Frederick George
Baring,Capt.Hn.G (Winchester
Barrie, H. T. (Londonderry,N.)
Beach,Hn.Michael Hugh Hicks
Beckett, Hon. Gervase
Bertram, Julius
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Campbell, Rt. Hon. J. H. M.
Carlile, E. Hildred
Cave, George
Cecil, Evelyn (Aston Manor)
Chamberlain,Rt Hn.J.A.(Worc
Clive, Percy Archer
Courthope, G. Loyd
Craig,Charles Curtis (Antrim,S.
Craik, Sir Henry
Cross, Alexander
Dixon-Hartland,Sir FredDixon
Doughty, Sir George
Du Cros, Arthur Philip
Duncan,Robert (Lanark,Govan
Faber, George Denison (York)
Fardell, Sir T. George
Fletcher, J. S.
Gibbs, G. A. (Bristol, West)
Gooch,Henry Cubitt(Peckham)
Goulding, Edward Alfred
Guinness,Hon.R. (Haggerston)
Harrison-Broadley, H. B.
Hay, Hon. Claude George
Heaton, John Henniker
Helmsley, Viscount
Hill, Sir Clement
Hogan, Michael
Hunt, Rowland
Kerry, Earl of
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Lee,Arthur H.(Hants,Fareham
Lockwood,Rt.Hn.Lt.-Col. A.R.
Long,Col.Charles W. (Evesham
Long,Rt.Hn.Walter(Dublin, S)
Lonsdale, John Brownlee
Magnus, Sir Philip
Marks, H. H. (Kent)
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson,Wm. G.(Petersfield)
Nolan, Joseph
Oddy, John James
Parkes, Ebenezer
Paulton, James Mellor
Percy, Earl
Rasch, Sir Frederic Carne
Ratclffe, Major R. F.
Renton, Leslie
Renwick, George
Ronaldshay, Earl of
Salter, Arthur Clavell
Starkey, John R.
Stone, Sir Benjamin

Thomson, W. Mitchell-(Lanark)
Valentia, Viscount
Walker, Col. W. H. (Lancashire)
Walrond, Hon. Lionel
Warde, Col. C. E. (Kent, Mid)
Whitbread, Howard
White, Patrick (Meath. North)
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE NOES—Mr. Bottomley and Earl Winterton.

SIR HENRY KIMBER (Wandsworth) moved an Amendment providing that instead of "any person" having power to lodge an objection to the registration or the renewal of the registration of a club, only a "duly authorised police officer" should have the power to do so. He objected to the words "any person" in the subsection, because it would not matter whence he came or whither he was going. The person might not be resident in these islands at all; he might be from the Sandwich Islands or Timbuctoo. The common informer would be established, a system of espionage would be introduced into club life, and instead of peace and good-will being promoted among different classes of the community a fresh means of agitation and conflict would be provided by this subsection. The motives of an objector might be benevolent or spiteful, but, whatever they might be, it would not be possible to challenge his *status*. He was not obliged to state the grounds on which he proceeded; he was to be entitled on his mere *ipse dixit* to arraign a club and bring it before a tribunal to prove its innocence. According to the good old English principle a man was assumed to be innocent until he was proved to be guilty, but that was to be reversed in the case of clubs. He was not wedded to the words of amendment if better ones could be suggested. If it was thought desirable to insert the words "chief constable" instead of those he proposed, he would be very pleased to agree to the alteration. Under the clause as it stood a common informer might be paid by an association or section of the community to find out how clubs were conducted in order to bring about their extermination.

Amendment proposed—

"In page 18, line 22, to leave out the word 'person,' and insert the words 'duly authorised police officer."—(*Sir Henry Kimber.*)

Question proposed, "That the word 'person' stand part of the clause."

SIR S. EVANS said he understood the hon. Member to argue that it was inadvisable to allow "any person" to lodge objections to the registration or the renewal of the registration of clubs. He might say at once in order to relieve the feelings of hon. Members that the Government thought they were bound to adhere to the word "person." To omit that word for the introduction of a more limited term would, in their opinion, weaken the provisions of the club portion of the Bill. From the commencement, in dealing with the criticisms which had been levelled against them by the Opposition, they on that side of the House had said that they would accept help offered in improving the club clauses, if the suggestions would have the effect of either maintaining the rights and privileges of *bona fide* clubs, or tending to put down clubs which were called drinking clubs. In the discussion on the previous Amendment he stated that since 1872 there had been a provision entitling any person in any part of the country to object to the renewal of any public-house or hotel licence. As he had already stated, although there were 90,000 licensed houses it had been found that nobody had suffered from the existence of the unlimited power to object to renewals. The general policy of the law was not to restrict the right of informing to particular persons when they were dealing with something which was an infringement of the law. While that was the general policy of the law, he did not say that there were not special Acts which said that in regard to certain matters the information must be laid by particular persons. They had not only the experience of more than a generation in regard to the unlimited power of objection to the renewal of licences conferred by the 1872 Act, but they had also the experience of the legislation of the late Government. Here the objection could only be made by any person once a year upon an application for renewal of registration, or an application for registration for the first time; but under the 28th

Section of the Act of 1902 any person, at any time and on any ground of objection, might apply to have the club struck off the register. If it was right to allow any person to do that, it would not be wrong to give any person the right proposed under this section. The hon. Member for York had said that under the section of the Act of 1902 they must go to a magistrate for a summons. Everybody knew that the issue of a summons was purely a ministerial act, and that if anybody laid an information no magistrate would refuse a summons. He was asked the meaning of the words "used or is to be used" as a ground which could be alleged by an objector against the registration or renewal of the registration of a club. He was asked to deal with two matters. First of all, to say what they meant by words "used or intended to be used." In the judgment of the Government the words "intended to be used," although they looked to the future, might be found to be very useful words when they came to operate under this Act. It was said that they did not know how the premises were going to be used. There were various tests of that. Supposing a licence or licences had been reduced or extinguished in a certain street in a certain town; supposing it was perfectly well known who the persons were who usually sat and were interested in those licensed premises; assuming that upon the extinction of those licensed premises they found that the very persons interested in them were the persons who were interested in the club about to be opened: was that not a most pertinent matter for the justices to take into consideration in deciding whether or not they would allow the club to be registered as a *bona fide* club? Again, supposing it was well known that the committee of the proposed club—he was not going to condemn brewers, but was assuming that a public-house had been extinguished—had for its chairman the agent of the brewer, did anybody contend that in that case it was not right for the justices who had to deal with the matter, and who had to act judicially in a Court, to take that fact into consideration? Take another illustration. The Court had a right to see whether or not the accommodation in the club was such as would indicate that it was going to be used as a *bona fide* club, or whether the accommodation was simply that which they found in an illegitimate drinking club. Supposing the most important room on the premises was fitted up as a bar and that there were no conveniences elsewhere for any of the other purposes of a genuine *bona fide* club—that might be a matter for the justices to take properly into consideration before allowing the registration of the club. Was it not a test of whether a club was to be used as a mere drinking club to see what provision there was by way of rules for accommodation on the premises for the purposes of recreation, social companionship, reading, legitimate games, and so forth? If there were no such accommodation on the premises, and if there were no provision for such accommodation in the rules, the justices might be amply justified in saying, taking all these things into consideration, that the club was not really going to be a *bona fide* club, but merely a drinking club.

SIR HENRY KIMBER said that that kind of argument did not touch the Amendment which he had moved.

SIR S. EVANS said he could see what the hon. Baronet meant, but he was not directing the whole of his speech to his Amendment. He had given, he hoped, a complete answer to the hon. Baronet's Amendment from the experience they had had, from the precedents they had in previous legislation, and from the lessons of the past itself. He would now deal with what was meant by the words "to be used mainly as a drinking club."

SIR HENRY KIMBER asked how that applied to the objection made by any particular person.

*THE DEPUTY-CHAIRMAN said it was perfectly true that the hon. and learned Gentleman's speech did not now apply to the hon. Baronet's particular Amendment, but for the general convenience and with the consent of the

Committee the hon. and learned Gentleman was addressing himself to the general question raised by the subsection. But hon. Members would understand that they were not to follow the hon. and learned Gentleman's example.

MR. WYNDHAM (Dover) said he did not quite appreciate the Deputy-Chairman's last statement. Was he to understand that it would not be competent for any other Member of the Committee to argue as to the vague character of the subsection?

SIR S. EVANS said he had ventured to suggest tentatively in a previous speech that it would be in order for him to discuss the objections raised to the wide power given by the subsection.

MR. LAMBTON asked if under the Chairman's ruling they would or would not have a right of reply to the Solicitor-General.

*THE DEPUTY-CHAIRMAN said he thought his ruling was very clear. The Solicitor-General was making some observations with regard to a promise he made on a previous Amendment; and, as he understood, it was for the convenience of the Committee that the Solicitor-General should do so. The question whether other Members had any right to open up the whole subject raised by the subsection would be determined when they began to make their remarks.

MR. AUSTEN CHAMBERLAIN (Worcestershire, E.) said that what took place on a previous occasion was that not merely the Solicitor-General but other Members in all parts of the House were requested by the Chairman to defer their observations on the general question until they reached the Amendments. As he understood, it was with the consent of the Chairman that the Solicitor-General had undertaken to deal with these general matters on this Amendment, but he also understood that other Members of the Committee would have a right of reply.

*THE DEPUTY-CHAIRMAN said it could not be expected of him to give a definite ruling on a matter which had not yet come before him.

SIR S. EVANS observed that although right hon. and hon. Gentlemen opposite appeared to be greatly puzzled about the meaning of the phrase "is to be used mainly as a drinking club" there was no Amendment on the Paper to omit those words. They would be in their right to do so yet, of course, but it was rather curious after the plethora of Amendments they had had on this Bill and many against this clause, that if there had been any difficulty with regard to the meaning of those words, they should not have had some Amendment put down with regard to them. They must, in dealing with matters in the ordinary course of things, use language which sometimes might be said to be vague, looking at the language theoretically, but which in practice raised no difficulty at all. He thought that nobody sitting as a justice on a bench would have much difficulty in saying that a particular club was to be used mainly as a drinking club. Those words were not capable of legal definition, and he was not going to attempt to define them. He did not think that any definition which could be given would be absolutely accurate and full. With regard to the use of the terms that had been said to be vague, in ordinary life everybody knew what the words meant. Let him use an illustration, for he was not going to define what they meant. Supposing it was found that there was no accommodation in the premises for recreative purposes or social purposes but that a great deal of drink was sold there, would anybody doubt that the premises were used mainly as a drinking club? Under the Act of 1902 one of the grounds for striking a club off the register was that it was not conducted "in good faith as a club." Could anybody suggest that there was more difficulty in applying in the ordinary course of things a common-sense meaning to the words "merely used as a drinking club," than there would be in applying such a meaning to the words "in good faith as a club"? Another phrase was "habitually used," for certain purposes, and another "frequent drunkenness."

Everybody knew that "frequent drunkenness" was a vague phrase, but they were not using it on that occasion. If they had been he would have been asked, he supposed, to define the word "frequent." [An HON. MEMBER: But the club is not in existence.] When they were discussing the meaning of the words what did it matter whether the club was in existence or was coming into existence? He had dealt with the words "to be used," but taking the Irish Act the words were used having regard to the "character of the Chairman." Suppose a Solicitor-General was asked to define what was the meaning "of the character of the chairman" and what was the character which would prevent the registration of the club——

SIR E. CARSON (Dublin University): Every Irishman has a good character.

SIR S. EVANS said in that case he could not understand why his right hon. and learned friend put the words into the Act.

MR. RAWLINSON asked if the hon. and learned Gentleman would answer his question. It was not about a legal point. Did the Bill intend to strike at a *bona fide* club well conducted, with £2,000 a year income from drink, and subscribers of between £200 and £300 a year?

SIR S. EVANS said he could not take the case of any club without all the figures and circumstances, but taking the illustration of the hon. and learned Gentleman as he had given it, he would say, they did not mean to hit a club of that kind, and he might point out that they opposed an Amendment the night before which said that a club should not be registered as a *bona fide* one if it made half its income from the sale of liquor. The question was what was the *raison d'etre* of a club. Was it established for *bona fide* social purposes, or was it put up merely in substitution for the public-house which had been closed? He had not attempted to define the words, but he had given to the Committee reasons for supposing that no difficulty at all in the administration of justice under this Act would confront any ordinary bench of magistrates. If it was said that his definition or his description was not sufficient, he would ask what did they mean by it in 1903 and in 1904? ["Where."] These were the very words which were in the Scottish Act and the Irish Act. One of the grounds of objection to a club in the Scottish Act was that it was not conducted in good faith as a club, or that it was habitually used for any unlawful purpose, or mainly for the supply of exciseable liquor. [AN HON. MEMBER: Those are not the words here.] Was there any difference? ["Yes."] He would come to that later. In the Irish Act the words were "not conducted in good faith as a club." Reference was also made to habitual use for an unlawful purpose, and then it was said "or mainly for the supply of exciseable liquor." He did not know whether it came as a surprise to hon. and right hon. Gentlemen that these words were in these Acts. [Cries of "They are not in."] Was it suggested that there was any difference? ["Yes."] He would wait and see what the difference was. If a club was "mainly used for the supply of exciseable liquor" a club was "mainly used as a drinking club" or so it appeared to him. On the other hand if a club was mainly used as a drinking club it could be properly described as a club "mainly for the supply of exciseable liquors." If his definition failed in any respect, perhaps right hon. and hon. Gentlemen would give him a definition of what they put in their Irish and Scottish Acts, and he would see if he agreed with it. He came back to the immediate purpose of the Amendment of the hon. Baronet, and he wanted to remind him of what he said earlier in the evening, when he thought the hon. Member was not present, of the course which the Government had taken in regard to this matter. They had been in communication with a large union of really genuine *bona fide* clubs, and what they asked for first of all was a change of constitution in the Court dealing with this matter. That was when the Government thought that the licensing justices were the proper body for the sake of the symmetry of their Bill, but the Government said they would give this provision: they would make it possible for the Court to penalise in costs a person who brought an unfounded charge, and make it possible for the Court, indeed compulsory, to administer oaths and to take no evidence except upon oath. That was a matter entirely beyond what was allowed in the case of owners of licensed premises under the Act of 1872. He was able to tell the Committee that the able and energetic secretary of that union, which he thought comprised over a thousand clubs, was perfectly content that the word "person" should remain in the Bill now that the Government had changed the constitution of the Court. That being so, he hoped the hon. Baronet, so far as his Amendment, which was moved in a similar interest, was strictly concerned, would be content with what the Government had done.

MR. AUSTEN CHAMBERLAIN said he held no brief for the Club and Institute Union or any other body, but he hoped his hon. friend would stick to the Amendment which he had moved. There was no doubt a certain number of clubs in his constituency, he thought not a very large number, and he had had from them but one single communication against this Bill, and that was a very strong protest which came from a Liberal club, the members of which he did not count among his supporters. On the merits of the Amendment he was entirely with his hon. friend that it was not proper to give such wide powers of objection as were contained in the Bill to any person, no matter who that person might be, and no matter where he came from. They might have a peripatetic gentleman from some organisation busying himself in districts with which he had no concern, in matters of which he had no knowledge, taking frivolous objections to the registration or to the existence of clubs, and thereby causing very considerable inconvenience and loss of time to many men who could ill afford either. They must bear in mind that it would be the committeemen who would have to go and defend their action in Court, and as had been stated, these would be working men who could not go and attend to these matters without the loss of their ordinary employment. He thought that to give gentlemen of this sort power to object without their having necessarily any connection with the locality and without any guarantee of good faith or interest in the matter was to inflict a great hardship upon a *bona fide* club. He must repeat and amplify what his right hon. friend said a little earlier in the evening, that the provisions of their Act of 1902 afforded no precedent for what the Government was now doing. What, after all, was the object of the particular clause they were now considering? It was to bring under review once a year every club in which exciseable liquor was sold—at least to make a fixed period at which the attention of everybody would be directed to these clubs, the general object, although they might differ as to the mode of carrying it out, being that attention should be turned to bad and illicit clubs, and prevent their registration. What did the Government expect? If they expected anything, they expected objections to be much more numerous or sensibly more numerous than they had been in the past. It was true that under the old Act objection might be taken at any time, but the opportunity to do it at any time was not nearly so generally availed of as an opportunity to do it on any particular day or time. As one of his friends put it to him, he preferred to take his house from year to year, as an annual tenancy never came to an end, but a lease did and when it did, the rent was apt to be raised. In other words when they made a time for things to come under review they invited objections, and they ought to see that the power to make those objections was not abused. In this connection he must go further and say that it became infinitely more important that they should have regard to the other provisions of the section to which the hon. and learned Solicitor-General referred. Under the Act of 1902 objections were meant to refer to matters of fact or alleged matters of fact which had taken place in the past, but under the present Bill they might be founded upon necessarily speculative opinions as to what was going to take place in the future. He would for himself make an admission, though he did not know whether his hon. friends would agree, but he thought that some power ought to be given to raise an objection to the registration of a club where, in the opinion of responsible people, such as an authorised police officer, there was reason to suppose that the club was going to be opened merely to evade the licensing law; and he was prepared to contemplate anticipatory action — action based upon anticipation of what was likely to happen, and not merely action as under the Act of 1902, in respect of what had already taken place in a club which was already registered. But again he said the fact that they introduced that speculative element required them to take greater precautions so that the power to take objection was not abused. He also said that in connection with the vagueness of the words on which the objection might be founded—that the club was used or to be used mainly as a drinking club. The very fact that they had introduced this power of looking forward and speculating on the future ought to make them more rather than less careful to define the grounds upon which registration or the renewal of it might be refused. He did not agree that the words in this Bill meant what the words in their Act meant. If that was so why pick a quarrel? Why not take the words of their Act, and say that a club was not going to be conducted in good faith only as a club.

SIR S. EVANS said the right hon. Gentleman was referring to another part of the subsection.

MR. AUSTEN CHAMBERLAIN said he was referring to the English Act, while the hon. and learned Gentleman had referred to others. He had a natural preference for the English Act. This phrase was, no doubt, put in by the hon. and learned Gentleman as an equivalent. The provisions of the Irish and Scottish Acts were an exact equivalent. Would he give them the exact words of those Acts?

SIR S. EVANS: Is there any difference?

MR. AUSTEN CHAMBERLAIN: If there is no difference, why not take those words?

SIR S. EVANS: What is the difference?

MR. AUSTEN CHAMBERLAIN said he preferred them because they were more definite and specific. The hon. and learned Gentleman said they were not, but when they were trying to strike a bargain, and one of the persons to the bargain asked for something which the other thought was of no value, why should he not give it? Nothing was lost, because that which was asked for was, in the opinion of the person who gave it, of no value.

SIR S. EVANS asked, in order that the Government might consider whether they should or should not retain their own words, which they preferred, whether the right hon. Gentleman would say what the exact difference was.

MR. AUSTEN CHAMBERLAIN considered the phrase in the Act of 1902 more definite than that of the hon. and learned Gentleman. The hon. and learned Gentleman himself considered it equally good for the purpose, yet he refused to adopt the phrase that he had quoted from the Act. The hon. and learned Gentleman had stated that he did not wish to strike at such a club as that instanced by the hon. Member for the Cambridge University, a club admittedly well conducted, but whose revenue was wholly obtained from the sale of alcoholic liquor. He thought the hon. and learned Gentleman was right. He could not strike at such clubs. Then what a farce it was to say that by this Bill they were going to promote temperance by restricting the facilities for obtaining drink. They were going to restrict one class of facilities and allow the other to grow and increase throughout the country.

MR. CLAVELL SALTER (Hants, Basingstoke) said that one of the difficulties they suffered from in the discussion of this Bill was that directly an Amendment was proposed a representative of the Government got up and rejected it, and the debate from that moment became unreal. If the hon. and learned Gentleman had accepted this as a good Amendment not only would those Members who were present have accepted it, but the large majority of those within the precincts who knew nothing of the Bill, and cared less, would have come in in troops to support it.

Because the hon. and learned Gentleman rejected it all the Members in the Chamber and elsewhere who supported the Government opposed it. He supported the Amendment, although he thought in the mere matter of verbiage that of the hon. Member for Thanet was preferable. Genuine clubs were increasing and would increase, and if this Bill became law he imagined there would be no doubt that bogus clubs would increase. The sharpest possible distinction should be made between bogus and genuine clubs; there should be no mercy given to the bogus but every possible consideration given to the genuine clubs. For that reason he regretted that the Government had not distinguished more sharply between the origination of a club and the annual registration and review. He would willingly have supported an Amendment which would have strengthened this Bill immensely as regards the original starting of a club. A club of the most mischievous character could be started, if attention was not called to it, without any sort of inquiry whatever. He would like to see a most rigid inquiry by an impartial authority when a club was started, and once it established the fact that it was a *bona fide* club he would interfere with it as little as possible. Everybody who had had any practical experience of the renewal of licences for public-houses would have no difficulty in estimating to themselves the kind of thing that would happen every year when these clubs came up for registration. The methods would be the same as those with which they were familiar in the case of the public-houses. There would be spies, possibly paid, always suspected of being paid, getting into these clubs and being entertained there in good faith, who would come and give evidence upon what they saw, who was there, what they were drinking, what they talked about, when they left, and the exact degree of heinousness which marked the offences. Malice would enter into the matter, politics and personal local feeling would enter into it. There would be intense jealousy. The hon. and learned Gentleman had told the Committee that no mischief had resulted from the unlimited power given to the people to oppose licences. He himself thought a great deal of mischief had resulted. There was a great deal of frivolous and vexatious objection on the application for the renewal of licences. But even if the hon. and learned Gentleman was right it was not the same thing. The publican was trading for profit and, holding a monopoly from the State, occupied a different position. It was part of his career to stand up before a magistrate, but it was no part of the career of people who took a private house for the purposes of a club. He did not propose to deal with the point "mainly as a drinking club." It was too indefinite. Had the word been merely as the hon. and learned Gentleman paraphrased it, the position would have been much easier to deal with. The only point he wished to make with regard to these words was this: What would be gained by permitting all these annual objections, which would be the result of this clause? Would anything be gained? The objector could not succeed without satisfying the Court that the club was mainly used as a drinking club, and if he could prove that there was no need for this Bill. Under the existing law, if he proved that he could get the club struck off the register. He submitted, therefore, that all that would be done would be to introduce all this additional burden into the country without the evil being suppressed. They would get equal efficiency and less friction by entrusting this duty to the responsible police officer. There was not the same bitterness when the information was given by a police officer that was experienced if it was given by "any person." The police existed for the purpose and the clubs would accept with good humour even unfounded charges made in good faith by a constable, but they would not stand it from one of their neighbours. Moreover, unfounded charges were rare, because the police were careful. The Solicitor-General had referred them to a section in the Scottish Act, but he thought he was right in saying that under the Scottish law the persons who might move to oppose the annual registration were the police and council of the borough. If that were so, and if it was to be regarded as an authority, it was a strong argument in favour of the Amendment. He submitted to those Members of the Committee who had not made up their minds about the matter, that to say "any person" was to lay clubs open to reckless charges and introduce evils with no adequate advantage to the cause of temperance.

MR. STUART WORTLEY (Sheffield, Hallam) said he held with everybody else in that House that it was of the highest importance to discriminate between *bona fide* and bogus clubs, and it was even more important to discriminate between *bona fide* and bogus objections. There were various excellent statutory precedents affording a method of discriminating between *bona fide* and bogus objections. It was pleaded on the Treasury bench that these words "any person" existed in the Licensing Acts, and also in other Acts applying to clubs. But both the Licensing Acts and the Acts applying to clubs became law before that House passed another most interesting Act which afforded a method of distinguishing between bogus and *bona fide* attempts to set up a prosecution. He referred to the Prevention of Corrupt Practices Act. Under that Act they could not set up a prosecution against the persons who offered or the employee who betrayed his employer's interest by receiving a bribe, without first obtaining the fiat of so important an officer as the Attorney-General. But under this particular proposal they were going to put *bona fide* clubs, clubs of respectable working men, carried on in a respectable manner, in a worse position than the person who offered, or the employee who betrayed his employer by receiving a bribe in the course of trade.

MR. LAMBTON said the Solicitor-General had given an instance of how to distinguish between bogus and *bona fide* clubs. He took the example of a public-house which had been shut up, and of the same premises, or new premises in the same street, being used for the purpose of a club, with either the publican or his manager conducting it. In such circumstances, the hon. and learned Gentleman had observed, they would obviously be dealing with a bogus club, and ought to refuse it registration. But to bring a case before the Court was not such a simple matter. All who were connected with the licensing bench were familiar with applications for transfer, or for an extension of hours on a particular occasion, and when such applications came before them they gently asked the superintendent of police if there was any objection. Surely, in the case of clubs, police officers would be the proper persons to give information; they would be the very persons to put all the facts before the magistrates. The Solicitor-General had talked of clubs springing up like mushrooms in one night, but on that he would remark that the police would know what was going on, and could go before the bench with the necessary objections. The Solicitor-General had twitted the Opposition with objecting to the words "used mainly for drinking," and said that similar words appeared in the Scottish and Irish Acts relating to clubs. But this was entirely a different matter. What would the hon. Member for Appleby or the right hon. Gentleman the Member for Spen Valley say of a club where every member drank his glass of beer once a day. Those two Gentlemen would maintain that the club was used "mainly for the purpose of drinking." ["Oh."] He thought that would be the view of a great many people; they would say: "Every man who is a member of the club goes there for the main purpose of drinking his glass of beer or spirits." The words used by the Irish and Scottish Acts had quite a different import. It was merely a matter of opinion whether or not a club was a drinking club, yet they proposed to give the power contained in the subsection to any casual explorer of the club, any outsider, who might think that a certain amount of alcohol was bad, and therefore, brought the objection before the Court that the club was "mainly for the purpose of drinking." The police officer would not do that. He could not understand why the Government did not accept the Amendment, which would not remove any restriction from bogus clubs while it would give some confidence to *bona fide* clubs.

MR. HART-DAVIES (Hackney, N.) said he did not want to be more royalist than the King, and if the clubs did not object certainly he did not. He remembered a case where a man had been turned out of a working-men's club for drunkenness, and he afterwards distinguished himself by writing to the newspapers to say that this working men's club was a home of drunkenness. He was in a position to make that statement. But, as he had said, if the clubs did not object certainly he had no reason to object. He suggested that as there were numerous other Amendments of extreme importance, one especially dealing with brewers' tied clubs, it would be well to close the discussion on the present Amendment.

MR. HUNT said he could assure the hon. Gentleman who had just sat down that the clubs in his part of the country entertained a very strong objection indeed to this perfectly absurd proposal of the Government. The hon. Gentleman had given a case in point of a man who was ejected from a club, and who afterwards turned against it, and did his best to get it taken off the register. Workmen in his part of the world said there were certain people who were clearly sane on everything except the question of alcohol. Such people thought it very wrong that any person should have an opportunity of going into any sort of house or club where they might possibly get a wineglassful of alcoholic liquor. It was pointed out that these people would be perfectly certain to object to all such clubs. These working men in his constituency had impressed upon him that if there was no way of getting out of this proposal, it should be insisted that there should be three people to object instead of one. He could not move the Amendment which stood in his name, but that was what they asked him to do, if nothing better could be done. He thought the Government should give this question very serious consideration, because the proposal was certainly against the interests of well-conducted clubs of the working classes.

MR. WYNDHAM wished to reply to one point in the speech of the Solicitor-General, who had complained of their criticism against the vagueness of the words to which they objected, namely, "used mainly as a drinking club." The hon. and learned Gentleman said they were not entitled to complain of the vagueness of these words, because the words of their own English Act of 1902 were as vague—he did not say they were identical. But the words of the Act of 1902 were—

> "That it is not conducted in good faith."

SIR S. EVANS: No, no.

MR. WYNDHAM begged the hon. and learned Gentleman's pardon; he had given as an example of vagueness the words of Section 28, Subsection (1) (*b*),—

> "That it is not conducted in good faith."

But in subsection (2) of the same section there were the words—

> "For the purpose of determining whether a club is conducted in good faith as a club the Court shall have regard to the nature of the premises occupied as a club."

There was a specific direction that the Court were to interpret those words upon the evidence available, namely, the premises of the club. He therefore held that the Solicitor-General's retort could not be allowed to stand. The words of the Bill, "used or to be used mainly for drinking," were an addition to the grounds of objection set forth in the Act of 1902; they were an addition to which they objected, because they were a vague phrase, not a legal phrase, as the hon. and learned Gentleman had himself admitted, but a phrase which invited any person living in any part of the country to form any opinion, however prejudiced and absurd, about a club, and to harass respectable citizens who were members of it.

MR. ARTHUR HENDERSON (Durham, Barnard Castle) said he had sat through this discussion, and he had noticed amongst all sections of the Committee that there had been expressed a very general desire not to interfere unduly with the club that was conducted on proper lines. It seemed to him if that were so that the words "any person" were altogether too sweeping. They had to remember that this laid every club open, notwithstanding the reply of the Solicitor-General regarding costs, to frivolous objections which might involve in some cases, no fewer than twenty, in some cases thirty, working men losing a day's work to attend before a stipendiary or a Court of Summary Jurisdiction. He might be told that their remedy lay in the fact that if the case went against the objector he would be subjected to costs. He was afraid that would not be very satisfactory to these twenty or thirty working men who lost their day's wage if they found out, as they might very often do, that the man who objected was nothing more than a man of straw. They might be told—he thought they had been told—that it was the law at present that any person could object under the Act of 1902. But might he remind the Committee that the position by this Bill was being made entirely different? They had now, according to the clause that they had passed yesterday, established an annual registration. The Solicitor-General had given the explanation that a summons could be taken out almost every week in the year. But when they laid it down in an Act of Parliament that there was to be an annual registration, they were inviting, at definitely stated times, the objector, however frivolous the objection might be, to go to the Court and raise it. Therefore it seemed to him that if they had no desire to harass the well-conducted club, they were going a little too far. He was not satisfied that they were having offered to them the proper remedy for this in the Amendment of the hon. Baronet. He thought he was going too far in the opposite direction. He was taking away from everybody concerned in the locality, everybody whose property or whole social life might be affected by a bogus club, the direct power of objection. The objection, if this Amendment became law, could only be made through a duly authorised police officer. It seemed to him that that was carrying them altogether too far in the opposite direction from the position that he had first stated. The persons in every locality where these clubs were situated ought to have some power of objection, but it ought to lie in their being allowed to go to the chief constable and state the objections. The chief constable with his experience would be able at once to say whether he thought it was a legitimate *bona fide* objection or not. In the event of his being satisfied he would make himself responsible on behalf of the locality, as the properly constituted official, to appear before the Court and lodge the objection. The discussion that had taken place regarding the words "mainly as a drinking club" appeared to him to be the strongest argument why the suggestion that he was now making ought to be accepted. If it were accepted the individuals in the locality in which the club was situated would be able to keep up their interest. But they might have some difficulty in defining what was "mainly a drinking club." The Solicitor-General shook his head, but they were not all lawyers. They were legislating for working men and working men's clubs. If they had that difficulty and they thought that the club was being improperly used, surely it ought to be within their power to go to someone who had proper experience and say that a certain club was being used so-and-so, and ask whether it was a violation of the law. If, on getting full information, he concluded that it was a violation of the conditions of registration, he would, on behalf of the locality, as an official, lodge an objection to the next registration, and probably call the individual who had come to him in an open, honest way and lodged the information, as his chief witness. In this suggestion they could link up both ideas—first of all of giving any person the right to object to the chief constable, and, secondly, of constituting the chief constable the properly constituted official who would take the objection, after he had sifted it, to the registration Court. In this way they would be removing the risk of frivolous objection and of taking twenty or thirty working men as the committee of the club to the Court, only to hear that, after all, the objection was a frivolous one, and to find that the man objecting was a man of straw, and that they had been mulcted in all their expenses without any opportunity of obtaining a satisfactory remedy.

SIR E. CARSON thought the speech that had just been made was well worthy the consideration of the Government. His early experience of licensing sessions, he was glad to say, was in a country where everybody bore a very good character.

What used to happen? It might be imagined that some *bona fide* objections came in on those occasions—a serious householder or someone who got up and made a specific objection to the renewal of the licence. Not at all. The same one man objected to every licence. In Ireland it was necessary to get a ratepayer or a householder, but there was not that limitation here. They always had the same one. It was usually the employee of some temperance association, and upon each occasion he got up and stated that he had an objection to this particular house—generally the same objection. He wanted to have a clean sweep and purify the neighbourhood, but he would not have a shilling. What would it matter to him whether there was an order for costs or not? They might go and whistle for their costs. They would have the registration of these clubs objected to every year and considerable expense put upon the respectable clubs, because no matter what their character was, high or low, any association or any individual might come in and make an objection. That would be a very serious state of affairs to the many respectable clubs. Another reason why the Government might be asked to make a concession was that already any person might at any time, as he understood it, lodge a complaint against a club. If that was a right given to any person, was that not quite sufficient for the stock objector without giving him the right to come in at the annual session of justices and lodge this objection? If there was any real case against any individual club by reason of which it ought to be stuck off the register, any person could now bring it forward. If they had that and the annual right of lodgment of a complaint to the chief constable, surely they were doing enough to give the fullest opportunity for preventing these bogus clubs, and at the same time they were doing what they always ought to attempt to do—minimising as far as possible any inconvenience or impertinence towards the genuine club. In that way, if they showed a distinction in their legislation as between the two, not only would they do what was fair towards the genuine club, but they would do a great deal to get the genuine club upon their side as against the bogus club. It would be well, having regard to the powers which already existed and to the powers in any event which they would create under this Bill, that some concession should be made. He wished to make one other observation. It should always be borne in mind that, apart altogether from this legislation, there was nothing to prevent at any time the police prosecuting any house where they were selling drink without a licence if the place was not a *bona fide* club. The police could go in and say: "Really, this is a public-house, and you have no licence." They had a perfect right to do that apart from these statutes, and the accumulation of these actions against clubs, making no distinction between real and bogus clubs, would become so exasperating that, so far from doing good, harm would be done.

SIR S. EVANS said that after the speeches of the right hon. Gentleman and the hon. Member for Barnard Castle he desired to say a few words. The considerations which had been urged so forcibly by the right hon. and learned Gentleman were urged quite as forcibly in Committee upstairs when the Act of 1902 was considered, and it was then argued that they ought not to allow any person to set the law in motion. On that occasion the Committee adopted the words "any person" and the Government saw no reason to make any distinction between objections to the annual renewal of a licence and objections and complaints in regard to applications for the registration of clubs. The right hon. and learned Member referred to the question of costs, and said those representing the clubs would never get their costs in case the action went in their favour. His answer to that was that under the Act of 1872 in the case of 90,000 licences, there had been no abuse of this right of objection to the renewal of any licence.

MR. YOUNGER said there had been a great abuse in Scotland.

SIR S. EVANS said, in replying to the hon. Member for Barnard Castle, he wished to point out that the Amendment he had on the Paper would not provide a better alternative than the Government proposal. His hon. friend's Amendment provided that any person might—

> "at any time on his own personal knowledge forward to the chief constable—"

*THE CHAIRMAN: Order, order. I think it would be better not to go into that Amendment.

SIR S. EVANS invited the hon. Member for Barnard Castle to give the Government his support until he heard what they had to say upon the next Amendment.

*MR. G. A. GIBBS (Bristol, W.) said that now there was to be the annual registration of all clubs it made all the difference in the world. Under this section they were going to give power to any man to object to any club when the question of the renewal of the registration came up every year. Any fanatic would be able to go about from place to place objecting to the renewal of the registration of any club, and the same man might be found in dozens of different places objecting to clubs and making it incumbent upon the officials of the clubs concerned to come into Court and prove that their clubs were *bona fide*. This sort of espionage would be most objectionable and un-English, and it would be much better to leave it to the police officer who knew all about the district.

SIR HENRY KIMBER desired if possible that they should have one division instead of two. He had concluded that the Amendment of the hon. Member for Barnard Castle was better than his own and if the Government were willing to accept it he would ask leave to withdraw his Amendment. [Cries of "No, no."] The observations of the Solicitor-General had dealt mainly with subsequent parts of the clause, and had no pertinence to his Amendment which was intended to abolish the common informer and the spy. With regard to the costs in a police-court they were merely trumpery as compared with the pains and worry given to the officers of the club. All the officials of a club and the whole of the committee might have to come to the Court for the purpose of proving that their club was properly conducted; in fact they would be called upon to prove their own innocence instead of having the guilt proved against them. Did any hon. Member ever hear of the costs against a common informer being recovered? He had never known an instance of that kind. The points of the Solicitor-General were good as far as they went, but the common informer would be still in existence and the spy would be left at work. The Amendment of the hon. Member for Barnard Castle provided the same safeguard as his own Amendment in regard to the police-constable, and he was willing to withdraw his Amendment in favour of the hon. Member's if the Government would accept it.

*THE CHAIRMAN: Unless the Government are going to accept the Amendment of the hon. Member for Barnard Castle we must discuss these Amendments separately.

SIR HENRY KIMBER asked leave to withdraw his Amendment.

Leave refused.

Question put.

The Committee divided:—Ayes, 241; Noes, 101. (Division List No. 330).

AYES.

Acland, Francis Dyke
Agnew, George William
Ainsworth, John Stirling
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Asquith, Rt Hon. Herbert Henry
Baker, Sir John (Portsmouth)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow, Sir John E. (Somerset)
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beaumont, Hon. Hubert
Benn, Sir J. Williams (Devonp'rt
Benn, W. (T'w'r Hamlets, S. Geo.
Berridge, T. H. D.
Bethell, Sir J. H. (Essex, Romf'rd
Bethell, T. R. (Essex, Maldon)
Birrell, Rt. Hon. Augustine
Boulton, A. C. F.
Brace, William
Brigg, John
Brocklehurst, W. B.
Brunner, J. F. L. (Lancs., Leigh)

Sir S. Evans.

Brunner,Rt HnSirJ.T(Cheshire
Bryce, J. Annan
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burt, Rt. Hon. Thomas
Buxton,Rt.Hn.Sydney Charles
Byles William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Channing, Sir Francis Allston
Cheetham, John Frederick
Churchill, Rt. Hon. Winston S.
Clough, William
Cobbold, Felix Thornley
Collins,Sir Wm.J.(S.Pancras,W
Compton-Rickett, Sir J.
Corbett,C H(Sussex,E.Grinst'd
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth)
Crooks, William
Crosfield, A. H.
Crossley, William J.
Curran, Peter Francis
Dalziel, James Henry
Davies,David (MontgomeryCo.
Davies,M.Vaughan- (Cardigan
Davies, Timothy (Fulham)
Davies,Sir W.Howell(Bristol,S.
Dewar, Arthur (Edinburgh, S.)
Dickinson,W.H.(St.Pancras,N.
Dickson-Poynder,Sir John P.
Duncan, C.(Barrow-in-Furness
Duncan, J. H. (York, Otley)
Erskine, David C.
Essex, R. W.
Esslemont, George Birnie
Evans, Sir Samuel T.
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Findlay, Alexander
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Glen-Coates,Sir T.(Renfrew,W.
Glendinning, R. G.
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Gurdon,RtHn.SirW.Brampton
Haldane,Rt. Hon. Richard B.
Harcourt,Rt.Hn.L.(Rossendale
Harcourt,Robert V.(Montrose)
Hardy, George A. (Suffolk)
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey,W.E.(Derbyshire,N.E.
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson,J.M.(Aberdeen, W.)
Henry, Charles S.
Herbert,Col.Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hogan, Michael
Hope,W.Bateman(Somerset,N.
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Isaacs, Rufus Daniel
Jacoby, Sir James Alfred
Jardine, Sir J.
Johnson, John (Gateshead)
Jones, Leif (Appleby)
Jones,William (Carnarvonshire
Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D.
King,Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lamont, Norman
Layland-Barratt, Sir Francis
Lever,A. Levy (Essex,Harwich
Levy, Sir Maurice
Lewis, John Herbert
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald,J.M.(Falkirk B'ghs
Mackarness, Frederic C.
Macnamara, Dr. Thomas J.
M'Callum, John M.
M'Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren, Sir C. B. (Leicester)
Mallet, Charles E.
Mansfield,H.Rendall (Lincoln)
Marks,G.Croydon (Launceston
Marnham, F. J.
Massie, J.
Masterman, C. F. G.
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Morgan, J. Lloyd (Carmarthen)
Morton, Alpheus Cleophas
Murray,Capt Hn.A.C.(Kincard.
Napier, T. B.
Nicholls, George
Norton, Capt. Cecil William
Nugent, Sir Walter Richard
Nuttall, Harry
Parker, James (Halifax)
Partington, Oswald
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pirie, Duncan V.
Ponsonby, Arthur A. W. H.
Price, C. E. (Edinb'gh, Central)
Priestley,W.E.B.(Bradford, E.)
Rawlinson,John Frederick Peel
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Rees, J. D.
Richards, Thomas(W.Monm'th
Richardson, A.
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, Sir J. H. (Denbighs.)
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roe, Sir Thomas
Rose, Charles Day
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Scarisbrick, T. T. L.
Schwann,Sir C.E.(Manchester)
Scott,A. H.(Ashton under Lyne
Sears, J. E.
Seely, Colonel
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.)
Sherwell, Arthur James
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Stanger, H. Y.
Stanley,Hn. A. Lyulph(Chesh.)
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Tennant,Sir Edward (Salisbury
Tennant, H. J. (Berwickshire)
Thomas, Abel (Carmarthen, E.)
Thomas,Sir A. (Glamorgan, E.)
Thomasson, Franklin
Thorne,G.R. (Wolverhampton)
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Walton, Joseph
Wardle, George J.
Wason,Rt.Hn.E.Clackmannan
Wason,John Cathcart (Orkney
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
Whitbread, Howard
White, Sir George (Norfolk)
White,J.Dundas (Dumbart'nsh
White, Luke (York, E.R.)
Whitley, John Henry (Halifax)
Whittaker,RtHn.Sir ThomasP.
Wilkie, Alexander
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Wilson, Hon. G. G. (Hull, W.)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson,J. W. (Worcestersh. N.)
Wilson, P. W. (St. Pancras, S.)
Wood, T. M'Kinnon
Yoxall, James Henry

Tellers for the Ayes—Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood, RtHn. Sir AlexF.
Anstruther-Gray, Major
Arkwright, John Stanhope
Ashley, W. W.
Balcarres, Lord
Baldwin, Stanley
Balfour, Rt Hn. A. J. (CityLond.)
Banbury, Sir Frederick George
Banner, John S. Harmood
Baring, Capt. Hn. G. (Winchester
Barrie, H. T. (Londonderry, N.)
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bottomley, Horatio
Bowerman, C. W.
Bowles, G. Stewart
Bridgeman, W. Clive
Brooke, Stopford
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Chamberlain, Rt Hn. J. A. (Worc
Clive, Percy Archer
Clynes, J. R.
Cochrane, Hon. Thos, H. A. E.
Courthope, G. Loyd
Craik, Sir Henry
Cross, Alexander
Du Cros, Arthur Philip
Duncan, Robert (Lanark, Govan
Faber, George Denison (York)
Fletcher, J. S.
Glover, Thomas
Gooch, Henry Cubitt (Peckham)
Goulding, Edward Alfred
Gretton, John
Guinness, Hon. R. (Haggerston)
Guinness, W. E. (Bury S. Edm.
Hardie, J. Keir (Merthyr Tydvil)
Harrison-Broadley, H. B.
Hay, Hon. Claude George
Hedges, A. Paget
Helmsley, Viscount
Hill, Sir Clement
Hunt, Rowland
Jowett, F. W.
Kerry, Earl of
King, Sir Henry Seymour (Hull)
Lambton, Hon. Frederick Wm.
Lockwood, Rt. Hn. Lt.-Col. A. R.
Long, Col. Charles W. (Evesham
Long, Rt. Hn. Walter (Dublin, S.
Lonsdale, John Brownlee
Lowe, Sir Francis William
MacCaw, William J. MacGeagh
Marks, H. H. (Kent)
Morpeth, Viscount
Morrison-Bell, Captain
Myer, Horatio
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
Oddy, John James
Pease, Herbert Pike (Darlington)
Percy, Earl
Philipps, Col. Ivor (S'thampton)
Rasch, Sir Frederic Carne
Ratcliff, Major R. F.
Remnant, James Farquharson
Renton, Leslie
Renwick, George
Roberts, G. H. (Norwich)
Ronaldshay, Earl of
Salter, Arthur Clavell
Schwann, C. Duncan (Hyde)
Scott, Sir S. (Marylebone, W.)
Seddon, J.
Smith, Abel H. (Hertford, East)
Starkey, John R.
Steadman, W. C.
Stone, Sir Benjamin
Strauss, E. A. (Abingdon)
Summerbell, T.
Talbot, Lord E. (Chichester)
Thomson, W. Mitchell (Lanark)
Thorne, William (West Ham)
Valentia, Viscount
Walker, Col. W. H. (Lancashire)
Walrond, Hon. Lionel
Walsh, Stephen
Ward, W. Dudley (Southampt'n
Warde, Col. C. E. (Kent, Mid)
White, Patrick (Meath, North)
Wilson, W. T. (Westhoughton)
Winterton, Earl
Wortley, Rt. Hon. C. B. Stuart-
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

Tellers for the Noes—Sir Henry Kimber and Mr. George Gibbs.

Mr. BOTTOMLEY moved an Amendment providing that the power of objecting to the registration or re-registration of a club should be limited to "any resident in the district." He said it was undesirable that the power of objecting should be put into the hands of some unnamed and indefinite person. Only those who had a local interest should be invested with this power. He could not conceive any possible argument against the Amendment and, therefore, he did not think it necessary to advance any more in its favour.

Amendment proposed—

"In page 18, line 22, after the word 'person,' to insert the words 'resident in the district.'"—(*Mr. Bottomley.*)

Question proposed, "That those words be there inserted."

Sir S. EVANS said that this Amendment covered the same ground as they had been covering for the last three hours. He was sorry that the Government could not accept the Amendment. It would raise many difficulties which did not at present exist—questions as to what a district was, and who were residents in a district. The Amendment contemplated a difficulty which would never occur, because it would be found in practice that only persons interested in a district would object.

Question put.

The Committee divided:—Ayes, 97 Noes, 230. (Division List No. 331.)

AYES.

Acland-Hood, Rt Hn. Sir AlexF.
Arkwright, John Stanhope
Ashley, W. W.
Balcarres, Lord
Baldwin, Stanley
Balfour, RtHon. A. J. (CityLond
Banbury, Sir Frederick George
Banner, John S. Harmood-
Baring, CaptHn. G (Winchester)
Barrie, H. T. (Londonderry, N.
Beckett, Hon. Gervase
Berridge, T. H. D.
Bowerman, C. W.
Bowles, G. Stewart
Bridgeman, W. Clive
Brooke, Stopford
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Cecil, Evelyn (Aston Manor)

Cecil, Lord R. (Marylebone, E.)
Chamberlain, Rt Hn. J. A. (Worc
Clive, Percy Archer
Courthope, G. Loyd
Craik, Sir Henry
Cross, Alexander
Curran, Peter Francis
Dickinson, W. H. (St. Pancras, N
Du Cros, Arthur Philip
Duncan, Robert (Lanark, Govan
Fletcher, J. S.
Gibbs, G. A. (Bristol, West)
Gooch, Henry Cubitt (Peckham
Goulding, Edward Alfred
Gretton, John
Guinness, Hon. R. (Haggerston)
Guinness, W. E. (Bury S. Edm.)
Harrison-Broadley, H. B.
Hay, Hon. Claude George
Hedges, A. Paget
Helmsley, Viscount
Hill, Sir Clement
Hodge, John
Hudson, Walter
Hunt, Rowland
Jowett, F. W.
Joynson-Hicks, William
Kerry, Earl of
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Lockwood, Rt. Hn. Lt-Col. A. R.
Long, Col. Charles W. (Evesham)
Lonsdale, John Brownlee
Lowe, Sir Francis William
Lupton, Arnold
Lynch, H. B.
Marks, H. H. (Kent)
Meysey-Thompson, E. C.
Morpeth, Viscount
Morrison-Bell, Captain
Myer, Horatio
Nicholson, Wm. G. (Petersfield
Nield, Herbert
Oddy, John James
Pease, Herbert Pike (Darlington
Rasch, Sir Frederic Carne
Ratcliff, Major R. F.
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Renwick, George
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Smith, Abel H. (Hertford, East)
Snowden, P.
Starkey, John R.
Steadman, W. C.
Stone, Sir Benjamin
Strauss, E. A. (Abingdon)
Summerbell, T.
Talbot, Lord E. (Chichester)
Thomson, W. Mitchell- (Lanark)
Thorne, William (West Ham)
Valentia, Viscount
Walker, Col. W. H. (Lancashire)
Walrond, Hon. Lionel
Ward, W. Dudley (Southampton
Warde, Col. C. E. (Kent, Mid)
Wardle, George J.
White, Patrick (Meath, North)
Wilkie, Alexander
Winterton, Earl
Wortley, Rt. Hon. C. B. Stuart-
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE AYES—Mr. Bottomley and Mr. George Faber.

NOES.

Acland, Francis Dyke
Agnew, George William
Ainsworth, John Stirling
Allen, A. Acland (Christchurch
Allen, Charles P. (Stroud)
Armitage, R.
Asquith, Rt. Hn. Herbert Henry
Baker, Sir John (Portsmouth)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow, Sir John E. (Somerset)
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beaumont, Hon. Hubert
Beck, A. Cecil
Benn, Sir J. Williams (Devonp'rt
Benn, W. (T'w'r Hamlets, S. Geo
Bethell, Sir J. H. (Essex, Romf'rd
Bethell, T. R. (Essex, Maldon)
Birrell, Rt. Hon. Augustine
Boulton, A. C. F.
Brace, William
Brigg, John
Brocklehurst, W. B.
Brunner, J. F. L. (Lancs., Leigh)
Bryce, J. Annan
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm H. W.
Cawley, Sir Frederick
Channing, Sir Francis Allston
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Sir Wm. J. (S. Pancras, W
Compton-Rickett, Sir J.
Corbett, C. H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth)
Crooks, William
Crosfield, A. H.
Crossley, William, J.
Dalziel, James Henry
Davies, David (Montgomery Co.
Davies, Timothy (Fulham)
Davies, Sir W. Howell (Bristol, S.
Dewar, Arthur (Edinburgh, S.)
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Erskine, David C.
Essex, R. W.
Esslemont, George Birnie
Evans, Sir Samuel T.
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Findlay, Alexander
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Glen-Coats, Sir T. (Renfrew, W.)
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Gurdon, Rt Hn. Sir W. Brampt'n
Haldane, Rt. Hon. Richard B.
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose
Hardie, J. Keir (Merthyr Tydvil
Hardy, George A. (Suffolk)
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey, W. E. (Derbyshire, N. E
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.)
Henry, Charles S.
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hogan, Michael
Hope, W. Bateman (Somerset, N
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hutton, Alfred Eddison
Hyde, Clarendon
Isaacs, Rufus Daniel
Jacoby, Sir James Alfred
Johnson, John (Gateshead)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lamont, Norman
Layland-Barratt, Sir Francis
Lever, A. Levy (Essex, Harwich)
Levy, Sir Maurice
Lewis, John Herbert
Luttrell, Hugh Fownes
Lyell, Charles Henry
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk B'ghs)
Mackarness, Frederic C.
Macnamara, Dr. Thomas J.
M'Callum, John M.
M'Crae, Sir George

M'Kenna, Rt. Hon. Reginald
M'Laren, Sir C. B. (Leicester)
Mallet, Charles E.
Mansfield, H. Rendall (Lincoln)
Marks, G. Croydon (Launceston)
Marnham, F. J.
Mason, A. E. W. (Coventry)
Massie, J.
Masterman, C. F. G.
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Morton, Alpheus Cleophas
Murray, Capt. Hn. A.C. (Kincard
Napier, T. B.
Nicholls, George
Norton, Capt. Cecil William
Nugent, Sir Walter Richard
Nuttall, Harry
Parker, James (Halifax)
Partington, Oswald
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Philipps, Col. Ivor (S'thampton
Pickersgill, Edward Hare
Pirie, Duncan V.
Ponsonby, Arthur A. W. H.
Price, C.E. (Edinb'gh, Central.)
Priestley, W.E.B. (Bradford, E.)
Rea, Russell (Gloucetser)
Rea, Walter Russell (Scarboro'
Rees, J. D.
Richards, Thomas W. (Monm'th
Richardson, A.
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, Sir J. H. (Denbighs.)
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann, Sir C. E. (Manchester)
Scott, A. H. (Aston under Lyne
Sears, J. E.
Seddon, J.
Seely, Colonel
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick, B.)
Sherwell, Arthur James
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Soares, Ernest J.
Stanger, H. Y.
Stanley, Hn. A. Lyulph (Chesh.)
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thomas, Abel (Carmarthen, E.)
Thomas, Sir A. (Glamorgan, E.)
Thomasson, Franklin
Thorne, G.R. (Wolverhampton)
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Walsh, Stephen
Walton, Joseph
Wason, Rt Hn. E. (Clackmannan
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
Whitbread, Howard
White, Sir George (Norfolk)
White, J. Dundas (Dumbart'nsh.
White, Luke (York, E.R.)
Whitley, John Henry (Halifax)
Whittaker, Rt Hn. Sir Thomas P.
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Wilson, Hon. G. G. (Hull, W.)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, J. W. (Worcestersh. N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE NOES—Mr. Joseph Pease and Master of Elibank.

MR. ARTHUR HENDERSON moved to amend the subsection so that it should read: "Any person may at any time on his own personal knowledge forward to the chief constable of a county or borough such information as he considers a violation of the conditions of registration of any club, and such chief constable shall investigate the complaint and make a record of such investigation, and then, if satisfied that the same affords good ground for objection, shall lodge an objection to the renewal of the registration of the club." Believing that his Amendment would not be reached he had availed himself of the opportunity on another Amendment of saying almost everything he had to submit in favour of his own. He hoped that what he said then was sufficiently convincing. There was one point, however, which he wished to put before the Solicitor-General who had tried to influence the Committee by endeavouring to persuade them that the representatives of the Club and Institute Union were satisfied. He could assure the Committee that a deputation from the executive of the Club and Institute Union had waited upon the Labour Party, and strongly urged them to press this Amendment. The Solicitor-General had several times during the debates hinted the willingness of the Government to take the voice and opinion of the Committee in regard to Amendments on the club clauses.

SIR S. EVANS: To strengthen them; not to weaken them.

MR. ARTHUR HENDERSON said he hoped he was doing nothing to weaken the clause now before the Committee. His Amendment would certainly strengthen the Bill. Without this Amendment any twenty or thirty working men might be dragged from their work to the Court at the expense of losing their day's pay of 5s. or 5s. 6d. each. When they got to the Court they might find it was only a frivolous objection put forward by a man of straw, who could not pay their costs. The proviso in the Act that costs should be obtainable was worthless so far as these thirty poor workmen were concerned. He urged the Government to leave this question to the Committee, because on all sides of the House there was a very strong feeling in favour of this Amendment, and, if it were not made a party question, the Amendment would be carried by a large majority.

Amendment proposed—

"In page 18, line 22, after the word 'may, to insert the words 'at any time on his own personal knowledge forward to the chief constable of a county or borough such information as he considers a violation of the conditions of registration of any club, and such chief constable shall investigate the complaint and make a record of such investigation, and then, if satisfied that the same affords good ground for objection, shall.' "—(*Mr. Arthur Henderson.*)

Question proposed, "That those words be there inserted."

SIR S. EVANS said he did not know what was the date of the interview which the hon. Member had with the representatives of the Club and Institute Union.

MR. ARTHUR HENDERSON: Thursday last.

SIR S. EVANS said that on Tuesday the Committee decided as to the change in the constitution of the Court, and it was since then that the Government were informed that there was no objection. However, he wanted it to be distinctly understood that he would be the last person in the world to say that they should be influenced by any consideration of that kind; they should discuss the question entirely on its merits. He thought that the acceptance of this Amendment would weaken the provisions of the Bill with regard to clubs, and if it were looked at carefully he believed it would be recognised that it ought not to receive the support of or be pressed on the Committee. In the first place, it made it impossible for anyone to take proceedings except the chief constable—no police constable, no police sergeant, no police inspector, nobody except the chief constable. He would ask his hon. friend to remember that there was not, so far as he knew, a single precedent for that in any legislation which the House had ever passed. There was not a single case which he could bring to mind where there was any reference to any investigation of any offence or charge in which it was enacted that nobody but the chief constable could take proceedings. He thought that was a solid argument against the Amendment. He would go further and say that the hon. Member was making a mistake as to the effect of his Amendment. He would not now discuss the probability of there being frivolous objections, but if there were to be any frivolous objections at all the Amendment would give greater power to make them. If there was to be espionage, this Amendment would not only permit it, but encourage it. The hon. Member wanted anybody to go to the chief constable and give him such information as he considered to be a violation of the law. But what would that do? Instead of the man coming openly in the light of day to the Court he would pour his tale into the ears of the chief constable. An expelled member of the club, who through spite wished to do something against the club, was precisely the man who would go to the chief constable to show him that the rules had been violated. Supposing that the chief constable followed that by investigation, he might think it necessary to go over all the premises, and inspect all the books. But, if the chief constable thought he was bound to take these proceedings by reason of the information given him, what would happen? No costs would be given against him by any magistrate. Finally, by the Amendment, the hon. Member was seeking to make the chief constable the final judge in the matter instead of the Court of Summary Jurisdiction, unless the chief constable was to take proceedings in every case in which there was *prima facie* evidence. He hoped he had argued his point fairly to the Committee.

LORD R. CECIL said he could not say that he was at all impressed by the arguments of the Solicitor-General, although they were very much indebted to the hon. and learned Gentleman for the great care which he had evidently given to the matter. In the first place, the Solicitor-General said that this was a very unusual provision and that there was no precedent for it. He was always struck by the curious affection which hon. Members opposite had for real old Tory arguments. It was quite true, he dared say, that there was no precedent for it, but he did not think that that mattered very much, for the whole of this legislation was unreasonable and unprecedented. They had to deal with a very difficult and delicate situation, in which they must apply some measure of restriction so as to catch the bad clubs, but with a sufficiently large mesh to allow the good clubs to go through. Then the hon. and learned Gentleman said that the Amendment would really give greater power to the spy, who would, without coming into the open, go to the chief constable and pour into his ears the tale of calumny which he would be ashamed to tell in open Court. So he could now whatever legislation was passed. But in addition to that, they did not wish that the spy should be able to inflict an undeserved penalty on members of a club, whether guilty or not. Unless there was some preliminary inquiry, such as would be undertaken by the chief constable, the spy would be able to force twenty or thirty poor working men to go to Court, give up a day's work at serious inconvenience, and lose a day's pay, without the slightest justification. That was the difficulty they had to meet, and he should think they might safely trust the chief constables not to take up any really frivolous complaint. He would have thought it was a very legitimate and deliberate test to say that a person had to satisfy the chief constable that he had some kind of case before he could bring it into Court. The last argument of the Solicitor-General seemed most amazing—that this would make the chief constable the final judge. But that official would have to bring the case before the Court and to satisfy the tribunal, and he did not think so badly of the magistrates composing the petty benches as to say that they would take the word of the chief constable without investigating for themselves. The chief constable had also to make a record, and show what investigations he had made, and to satisfy the Court that the club ought not to be registered. He would illustrate that. Much of our penal legislation provided that proceedings should not be brought without the *fiat* of the Attorney-General, but nobody suggested that that made the Attorney-General the final judge of such matters. It merely showed, if he issued the *fiat*, that the Attorney-General thought it was a matter which should be brought before the Court He could only hope that if this was the sole argument the Government could bring forward, the Committee would decide upon the argument, and not on Party lines.

MR. CURRAN (Durham, Jarrow) said the hon. and learned Solicitor-General seemed to make out a case in favour of the Amendment of his hon. friend rather than against it. As the law stood to-day the chief constable was the supervising authority in the radius which he governed. If the police staff under him found any complaint in regard to the bad government or the bad conduct of a club they had to report to the chief constable at the present moment. In the first place, the hon. and learned Gentleman admitted that frivolous complaints were quite possible. They thought they were more than possible — that they were probable. It might not be only the faddist who was against all clubs who might make a complaint; it might be a person who had some spite against the governing executive of the club. It might be either the temperance faddist or the spiteful person, who, by making the accusation, would put the club to expense. Therefore, in his opinion, the chief constable ought to be empowered to investigate any complaint in his position as responsible officer governing a staff of policemen in his area. He ought to make minute investigations prior to lodging a complaint and commencing a prosecution, and it should only be upon the authority of the chief constable that such a prosecution should be undertaken, instead of upon the initiative of an irresponsible person. He therefore hoped that the advice of his hon. friend who moved the Amendment would be taken, and the Committee would be allowed a free hand on the question of adopting the Amendment.

*MR. REES said the noble Lord, who was a counsel learned in the law, had supported this Amendment, but he wanted to ask the Solicitor-General whether it was not unusual, unnecessary, and undesirable to provide by statute that a person might do that which he might do without any statute at all. Any person might at the present time forward to the chief constable any such information as he considered necessary as to any violation of this or the other law, and it seemed to him unnecessary for a statute to provide that a chief constable should investigate such a complaint. He thought he was bound without any statute to investigate such complaints. He was always under the impression, when it was his duty to draft Bills as Secretary to a Legislative Council that he should not provide for anything which was unnecessary and superfluous. It appeared to him that this Amendment was superfluous.

MR. PICKERSGILL (Bethnal Green, S.W.) thought his hon. friend the Member for Barnard Castle only stated the truth when he mentioned that there was considerable feeling in the House in favour of the Amendment. As he understood the Solicitor-General, he mainly relied on the absence of precedent. He would give him one. Under the Lord's Day Observance Act a prosecution could only be undertaken with the consent in writing of the chief constable or his deputy.

*MR. CLAVELL SALTER could not understand why the Government objected to the Amendment. The desire had been to get a general initiative, and to avoid frivolous attacks upon genuine clubs. Did they not combine those two things under the Amendment? Anyone could set the police in motion, and they had the experience of the police in regard to the proceedings. Surely this Amendment was most necessary. It placed upon the police officer the most important duty of receiving from any person any complaint, and it then became his business to investigate and make a record—a new and most important feature. If the chief constable did not take proceedings, and the complainant thought he should, a complaint could be made to his superior officer, the record was there, and his conduct was open to investigation. Was he right in saying that the only result of resisting this Amendment was that a complaint which was so frivolous that the police officer ignored it could yet be brought forward for the vexation and irritation of these clubs? Any complaint not absolutely frivolous would be taken up by the police.

MR. SHACKLETON (Lancashire, Clitheroe) said he would like to urge one more point upon the Solicitor-General, viz., the importance of leaving this matter open if he could. He knew that it was a matter of considerable feeling as shown by the expressions they had heard in the division lobby. He thought it would be wise to leave a matter like this to the Committtee to decide for themselves. He did not think there was much in the point as to weakening oversight, because he thought the Solicitor-General admitted that this would rather encourage the spy. That could not weaken oversight, because it would encourage the spy to give information. At least, the authorities in a town would have more information than they would have otherwise. From that point of view it could not weaken it. He did not see that there was anything in the point made about only the chief constable being able to do this. The chief constable was the authority now in regard to complaints about licensed holders. If a constable came in with a report, the chief constable had to settle whether the matter should go forward or not. The Committee must recollect that they were dealing chiefly with working men in these clubs. They might have a commitee of twelve or twenty. These men had the responsible duty of keeping the club in a proper manner, and they might have occasion to expel men who had been guilty of offences that they all wanted to clear out of these clubs, gambling and excessive drinking, and these men might turn round on the committee and hamper them by threats of laying complaints, and the effect would be just the opposite of what the Solicitor-General wished to bring about. They wanted to make it certain that no outside member could turn round and harass the committee and compel them to forfeit a day's work in order to go and answer these complaints. He thought the Government were going to weaken the Bill if they insisted upon this condition, but he considered that by the Amendment of his hon. friend they might meet the case. The Solicitor-General had endeavoured to show that the change of Court had removed the objection of the clubs, but that view had not been conveyed to them, and he did not think the change of the Court removed the objection. The committee of management were responsible, and he thought they would weaken their power if they made it possible for a refractory member or an expelled member to make it hot for them. He hoped the Government would not press this to a party division.

SIR S. EVANS said he had great respect for his hon. friend, and he wanted to make it perfectly clear that he desired the Committee not to vote with any reference to the supposed suggestion of the Club Union or anybody else. He desired them to free their minds of that idea. An appeal had been made to him to leave this question to be decided by the Committee instead of in the ordinary way. He always thought it an indication that the Government had no very strong view on the matter if they took that course. That would be the effect of their saying that the ordinary procedure was not to be followed. But the Government had a very strong view on the matter, and they thought it would weaken the Bill if they took a different course from what they had indicated, and therefore he was reluctantly compelled to say that he could not accede to the request so politely put forward by his hon. friend.

MR. BYLES (Salford, N.) said he had followed the debate with great care and with an entirely open mind, and he would be very glad indeed if the Government would leave the matter open. If they did so he would still feel it his duty to vote for them because the arguments which had been presented to the Committee by several speakers from the Labour Party had not convinced him, whereas the arguments presented to them so ably by the Solicitor-General had had that effect. The able advocacy of the noble and learned Lord opposite, moreover, had not diminished the force of what the Solicitor-General had said. One argument was mentioned by the Solicitor-General in an earlier debate which had made a great impression on his mind, and that was that ever since 1822 every licensed house had been subject to complaint from any person exactly in the words now proposed that a club in which alcohol was sold should be. For nearly a century these provisions had existed in the case of public-houses, and the frivolous objections of which hon. Members opposite were so afraid had not been made. He thought, therefore, it was only reasonable to expect that clubs would be equally immune.

MR. ARTHUR HENDERSON: It would not bring twenty men away from their work.

MR. BYLES pointed out that the frivolous objection had not been made in the case of 90,000 public-houses for nearly a century, and therefore it would not be made in the case of clubs. If it was not made in the case of clubs twenty men would not be brought away from their work to defend themesIves against it. He was not like the noble and learned Lord opposite, wedded to precedent. He was quite ready to create a new precedent if he thought it necessary or desirable.

*MR. JOYNSON-HICKS (Manchester, N.W.) desired, as one who was in favour of making the restrictions with regard to bogus clubs as strong as possible, to say a few words in explanation of his supporting the Amendment of the hon. Member for Barnard Castle. His action throughout, on this clause, had been to strengthen the restrictions for bogus clubs; to make the regulations with regard to the renewal of the registration as severe as possible, but to insure that those regulations should not affeect any properly conducted club, whether it was a working man's club or a club in Pall Mall. This Amendment would do good with regard to the bogus clubs, but if it was not accepted, serious harm would be done to the well-conducted clubs which everybody wanted to protect. He thought the provisions for attacking the bogus clubs suggested by the hon. Member were good, because if there was the slightest ground for complaint and the chief constable's fiat was obtained, the matter would go forward at once.

MR. STANGER (Kensington, N.) pointed out that the chief constable had very limited power to make investigations. He could not summon witnesses, and if he had a witness before him he could not make him say anything. If the witness did say anything, then he could not be cross-examined. Therefore to hand this matter over to the chief constable would greatly weaken the Bill. Another point to which he would draw attention was this. The Committee had to bear in mind the provisions of the Act of 1902. What an absurdity it would be if they enacted that only one day of the year, the day when these clubs came up for renewal of registration before the Court, could be set aside for this purpose, while on the other 364 days in the year any person, without restriction, whether in the district or not, whether interested in the premises or not, whether he was a spy or a respectable person desirous of the good of the community, could go and make a complaint in writing when all these consequences would at once arise, and members of the clubs would have to come up and give evidence to rebut the objections.

MR. MIDDLEBROOK (Leeds, S.) said he was fully in sympathy with the objects of hon. Gentlemen opposite, but did not agree with their methods of obtaining that object. The Amendment proposed to make the chief constable the only prosecutor in this case. By so doing, they would lessen the public sense of responsibility and the public interest in the management of these clubs. The Amendment was entirely distinct, and had no analogy to the cases which had been instanced where the fiat of the Attorney-General was applied for. In those cases the Attorney-General formed his opinion as to whether there was a *prima facie* case. If he thought there was, he issued his fiat and left it to those who applied to bring the action and take the responsibility. But in this case all the burden and responsibility for carrying out the prosecutions were placed upon the chief constable. There were many ways of attaining the object of hon. Gentlemen opposite. There might be power in the magistrates to order security for costs in cases where they thought the objection was frivolous. For these reasons, while agreeing with the object of the Amendment, as he did not think it would carry out the intentions of hon. Gentlemen opposite he could not support it.

Question put.

The Committee divided:—Ayes, 95; Noes, 166. (Division List No. 332.)

AYES.

Acland-Hood,RtHn.Sir AlexF.
Ashley, W. W.
Balcarres, Lord
Baldwin, Stanley
Balfour,Rt Hn.A.J.(CityLond.)
Banner, John S. Harmood-
Baring,Capt.Hn.G (Winchester
Barnes, G. N.
Barrie, H. T. (Londonderry, N.
Berridge, T. H. D.
Bottomley, Horatio
Bowerman, C. W.
Bridgeman, W. Clive
Brooke, Stopford
Burt, Rt. Hon. Thomas
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Cecil, Lord R. (Marylebone, E.)
Clive, Percy Archer
Clynes, J. R.
Courthope, G. Loyd
Crooks, William
Curran, Peter Francis
Duncan,Robert (Lanark Govan
Faber, George Denison (York)
Fletcher, J. S.
Glover, Thomas
Gooch,Henry Cubitt(Peckham)
Goulding, Edward Alfred
Gretton, John
Guinness, W. E. Bury S.Edm.)
Hardie,J.Keir(Merthyr Tydvil)
Haslam, James (Derbyshire)
Hay, Hon. Claude George
Helmsley, Viscount
Henderson, Arthur (Durham)
Hills, J. W.
Hodge, John
Hogan, Michael
Houston, Robert Paterson
Hudson, Walter
Johnson, John (Gateshead)
Jowett, F. W.
Joynson-Hicks, William
Kelley, George D.
Kimber, Sir Henry
King,Sir HenrySeymour (Hull)
Lambton, Hn. Frederick Wm.
Lockwood, Rt.Hn.Lt.-Col.A.R.
Lowe, Sir Francis William
Lupton, Arnold
Lynch, H. B.
Macdonald, J. R. (Leicester)
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm.G.(Petersfield)
Nield, Herbert
O'Brien,Kendal (TipperaryMid
Oddy, John James
Parker, James (Halifax)

Paulton, James Mellor
Pease,Herbert Pike(Darlington
Philipps,Col.Ivor (S'thampton)
Pickersgill, Edward Hare
Rasch, Sir Frederic Carne
Ratcliffe, Major R. F.
Rawlinson,John Frederick Peel
Remnant, James Farquharson
Renwick, George
Richardson, A.
Robertson,SirG.Scott(Bradf'rd
Salter, Arthur Clavell
Schwann, C. Duncan (Hyde)
Seddon, J.
Shackleton, David James
Starkey, John R.
Steadman, W. C.
Stewart, Halley (Greenock)
Stone, Sir Benjamin
Summerbell, T.
Talbot, Lord E. (Chichester)
Thomson,W.Mitchell- (Lanark)
Thorne, William (West Ham)
Walker, Col. W. H. (Lancashire
Walrond, Hon. Lionel
Walsh, Stephen
Walton, Joseph
Warde, Col. C. E. (Kent, Mid)
Wardle, George J.
White, Patrick (Meath, North)
Wilkie, Alexander
Wilson, W. T. (Westhoughton)
Wortley, Rt. Hn. C. B. Stuart-
Young, Samuel
Younger, George

TELLERS FOR THE AYES—Mr. George Roberts and Mr. Charles Duncan.

NOES.

Acland, Francis Dyke
Agnew, George William
Ainsworth, John Stirling
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Ashton, Thomas Gair
Baker, Sir John (Portsmouth)
Balfour, Robert (Lanark)
Barlow, Percy (Bedford)
Barard, E. B.
Bennett, E. N.
Bethell,Sir J.H.(Essex,Romf'rd
Bethell, T. R. (Essex, Maldon)
Boulton, A. C. F.
Brace, William
Brigg, John
Brocklehurst, W. B.
Brunner, J.F.L. (Lancs., Leigh)
Bryce, J. Annan
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Buxton, Rt.Hn.Sydney Charles
Byles, William Pollard
Comeron, Robert
Channing, Sir Francis Allston
Cheetham, John Frederick
Clough, William
Cobbold, Felix Thornley
Collins,Sir Wm.J.(S.Pancras,W
Compton-Rickett, Sir J.
Corbett,C H (Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Davies,David(Montgomery Co)
Davies, Timothy (Fulham)
Davies,SirW.Howell(Bristol,S.
Dobson, Thomas W.
Duncan, J. H. (York, Otley)
Esslemont, George Birnie
Evans, Sir Samuel T.
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Findlay, Alexander
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Glendinning, R. G.
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Harcourt,Rt.Hn.L.(Rossendale
Harcourt, Robert V.(Montrose)
Harvey, A. G. C. (Rochdale)
Harvey, W.E.(Derbyshire,N.E.
Haslam, Lewis (Monmouth)
Hedges, A. Paget
Helme, Norval Watson
Hemmerde, Edward George
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hope,W.Bateman (Somerset,N
Horridge, Thomas Gardner
Hutton, Alfred Eddison
Isaacs, Rufus Daniel
Jacoby, Sir James Alfred
Jones, Leif (Appleby)
Jones, William(Carnarvonshire
Kekewich, Sir George
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lamont, Norman
Layland-Barratt, Sir Francis
Lever, A. Levy (Essex,Harwich
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Luttrell, Hugh Fownes
Lyell, Charles Henry
Macnamara, Dr. Thomas J.
M'Callum, John M.
Mallet, Charles E.
Mansfield, H. Rendall (Lincoln)
Marks,G.Croydon (Launceston)
Marnham, F. J.
Mason, A. E. W. (Coventry)
Massie, J.
Masterman, C. F. G.
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Morton, Alpheus Cleophas
Murray,Capt.HnA C.(Kincard)
Nicholls, George
Norton, Capt. Cecil William
Nuttall, Harry
O'Donnell, C. J. (Walworth)
Partington, Oswald)
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Price, C. E. (Edinb'gh, Central)
Priestley, Arthur (Grantham)
Priestley, W.E.B.(Bradford,E.)
Rea, Russell (Gloucester)
Rea, Walter Russell(Scarboro')
Rees, J. D.
Richards,Thomas (W.Monm'th
Roberts, Charles H. (Lincoln)
Roberts, Sir J. H. (Denbighs.)
Robertson, J. M. (Tyneside)
Robinson, S.
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Schwann, Sir C.E.(Manchester)
Scott,A.H. (Ashton under Lyne
Sears, J. E.
Seely, Colonel
Shaw, Rt. Hn. T. (Hawick, B.)
Sherwell, Arthur James
Shipman, Dr. John G.
Silcock, Thomas Ball
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Stanger, H. Y.
Stanley, Hn.A.Lyulph (Chesh.)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Strauss, E. A. (Abingdon)
Stuart, James (Sunderland)
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thomas, Sir A. (Glamorgan,E.)
Thomasson, Franklin
Thorne, G. R. (Wolverhampton
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Wason,John Cathcart (Orkney)
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White,J.Dundas (Dumbart'nsh
White, Luke (York, E.R.)
Whitley, John Henry (Halifax)
Whittaker,Rt.Hn.SirThomasP.
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Wilson, Hon. G. G. (Hull, W.)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, J. W. (Worcestersh.N.)
Wilson, P. W. (St. Pancras, S.)
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE NOES—Mr. Joseph Pease and Master of Elibank.

MR. MITCHELL-THOMSON (Lanarkshire, N.W.) said he wished to move an Amendment standing in the name of the hon. Member for Lincoln.

MR. CHARLES ROBERTS (Lincoln) said he did not move the Amendment to which the hon. Member referred because he desired to move another Amendment lower on the Paper.

MR. MITCHELL-THOMSON moved to omit the words "registration or the," the effect of which would be, he said, to confine objections to the occasions when a club appeared to apply for renewal of registration. Though it might appear paradoxical, he moved the Amendment not because he had any objection to a strict inquiry when a club made application for the first time for registration, but because he thought he could show that there were very strong grounds for objecting to an inquiry such as this clause proposed upon the first occasion of a club's applying for registration. His objection was based on two grounds: in the first place, that the evidence which was sought to be adduced was absurd from the nature of the evidence itself, that it was of a kind which must be purely speculative, and which could not be brought; and, in the second place, he would show the Committee that no such evidence, nor any such words as those contained in the clause, would be in fact operative, and that, however they might seek to have an inquiry on the first application of a club for registration, they would have to provide different words if they wanted a really effective investigation. What were the grounds on which an objection might be made under this subsection of the clause upon the first application for registration? In the first place, it was on the ground that the club was "used or to be used mainly as a drinking club." Of course, it could not be "was used" on the first application. He would quote the grounds mentioned in Section 28 of the Act of 1902. Let the Committee consider the position. A club made its first application for registration. Somebody came forward and objected, and the grounds on which he was entitled to object under the Act of 1902 were these: "That the club has ceased to exist." Obviously that was inapplicable, as the club was applying for registration for the first time. "That the number of members is less than twenty-five." That was applicable. "That the premises are not adapted in good faith to a club, or that it is kept, or habitually used, for any unlawful purpose." That was clearly inapplicable on a first application. "Frequent drunkenness." That was also inapplicable for the like reason. "Illegal sales of intoxicating liquors have taken place." That, too, was inapplicable. "Persons not members are habitually admitted to the club merely for the purpose of obtaining intoxicating liquor." That was inapplicable. "The club occupies premises in respect of which a licence has been refused within twelve months." That was applicable. "Persons habitually admitted as members without an interval of forty-eight hours between their time of election, etc." That would be applicable. "That the supply of liquors in the club is not under the control of the members of the committee." That might be applicable. So that there were only three grounds out of nine applicable to a first application for registration, or he would put it three cases out of ten. He submitted that, looking at the clause from a purely technical point of view, that was extraordinarily bad drafting. If the Government wanted to give reasons for the proposal, and he thought they ought to give reasons, they should put them in a separate clause which plainly and specifically defined them, and not leave it to be inferred from a consideration of the provisions of the Act of 1902 in order to ascertain whether they were applicable or not on the occasion of a first application for registration. But even if they took these provisions and read the words of the clause into the Act of 1902, which was intended for renewals, and not for first registration, then the intention of the Government would not be carried out. The words which they were going to put into the clause were the words of the Scottish Act as construed by the Solicitor-General, who said that there was no difference between them. He regarded them as being different, but he would take the hon. and learned Gentleman's statement that there was no difference. But the Committee should have been told that as regards first registration the Scottish Act was notoriously an inoperative farce, and the Government knew it, or if the Solicitor-General and the representatives of the Government did not know it, they ought to have known it. The magistrates of Glasgow found that the sections of the Scottish Act were inoperative, and last March they came in full deputation to the Secretary for Scotland on the subject. The provisions which he had enumerated had broken down, and he would tell them why. They were inserted while the Bill was passing through Committee, and possibly they did not receive all the careful consideration which they ought to have received. Practically, and to all intents and purposes, those provisions were the provisions of this section of the present Bill. Under those provisions it was held by the Courts of Scotland to be an absurdity both in common sense and in law to ask for the rejection of a club's first application for registration on the representation by some person who had, by way of paralepsis, a speculative objection as to what a club was or was not going to do. It was held that it was not only bad in common sense but bad in law, and the Courts of Scotland held that that objection on this ground was practically non-enforcible. As a matter of fact the Courts in Glasgow, in this matter of first applications, were to-day purely ministerial; they gave registration practically to every club that applied, unless there was some other cause which clearly showed that the application ought not to be granted. That was the complaint which the Scottish magistrates made to the Secretary for Scotland. The right hon. Gentleman replied that their representations would receive the earliest and most favourable consideration; yet here they found these same grounds of objection, which were cause of complaint, being embodied in the present Bill. This was the result of legislating in water-tight compartments. One Department of the Government apparently had no communication with another Department. Frankly, he was anxious that the provisions as to registration should be made effective. He was anxious that when a club made its first application for registration there should be inquiry in order to ascertain that it was a proper club to register. As regarded inquiry into the character of the persons who were going to make the application he thought that it was a good and proper provision. If they embodied these provisions in the subsection they would be, as they had been in the Scottish Act, absolutely ineffective and inoperative. They depended entirely on objections of a speculative character, a character which the Courts in Scotland had held was not legitimate, and could not be upheld. He respectfully asked the Solicitor-General and the Government if they were really anxious to have provisions applicable to a first application by a club for registration, to put them into a new subsection of their own, where they would really be effective. He begged to move.

Amendment moved—

"In page 18, lines 23 and 24, to leave out the words 'registration or the.'"—(*Mr. Mitchell-Thomson.*)

Question proposed, "That the word 'registration' stand part of the clause."

Sir S. EVANS said the hon. Member had left him in doubt at the end of his speech as to whether he was in favour of the particular provisions apart from the place in which they were in the Bill. They must adhere to the clause. They could not at this stage bring up a new clause to deal with registration in the first instance. It was absolutely necessary that there should be some such provision as this or else the Act in this matter would not achieve the good results that they hoped from it. The hon. Member wanted, apparently, the automatic registration of clubs, whatever they were, wherever they were, in whatsoever kind of premises they were—that was the effect of the Amendment.

Mr. MITCHELL-THOMSON: The hon. and learned Gentleman must not misrepresent me. I said the last thing I desired was the automatic registration of clubs; I want an effective registration of clubs, and the provisions of this section will not give it.

Sir S. EVANS said then he would not take up the time of the Committee in arguing. They were at one in their object and all he need say was that they could not bring up a clause of that kind but must adhere to the provisions proposed.

Question put.

The Committee divided:—Ayes, 212 Noes, 44. (Division List, No. 333.)

AYES.

Acland, Francis Dyke
Agnew, George William
Ainsworth, John Stirling
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barrie, H. T. (Londonderry, N.)
Bennett, E. N.
Berridge, T. H. D.
Bethell, Sir J H. (Essex, Romf'rd
Bethell, T. R. (Essex, Maldon)
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Bridgeman, W. Clive
Brigg, John
Brocklehurst, W. B.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Bryce, J. Annan
Buckmaster, Stanley O.
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Cameron, Robert
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cheetham, John Frederick
Clough, William
Clynes, J. R.
Collins, Sir Wm. J. (S. Pancras, W
Compton-Rickett, Sir J.
Corbett, C H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crooks, William
Crosfield, A. H.
Curran, Peter Francis
Dalziel, James Henry
Davies, David (Montgomery Co)
Davies, Sir W. Howell (Bristol, S
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras, N
Dobson, Thomas W.
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Esslemont, George Birnie
Evans, Sir Samuel T.
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Findlay, Alexander

Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Gurdon, Rt Hn. Sir W. Brampton
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardie, J. Keir (Merthyr Tydvil
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey, W. E. (Derbyshire, N. E.
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hedges, A. Paget
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hogan, Michael
Hope, W. Bateman (Somerset, N
Horridge, Thomas Gardner
Hudson, Walter
Hutton, Alfred Eddison
Jacoby, Sir James Alfred
Johnson, John (Gateshead)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Kekewich, Sir George
Kelley, George D.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lamont, Norman
Layland-Barratt, Sir Francis
Lever, A. Levy (Essex, Harwich
Levy, Sir Maurice
Lewis, John Herbert
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macnamara, Dr. Thomas J.
M'Callum, John M.
M'Kenna, Rt. Hon. Reginald
Mallet, Charles E.
Mansfield, H. Rendall (Lincoln)
Marks, G. Croydon (Launceston
Marnham, F. J.
Massie, J.
Micklem, Nathaniel
Middlebrook, William

Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Morton, Alpheus Cleophas
Murray, Capt. Hn A C. (Kincard)
Nicholls, George
Norman, Sir Henry
Norton, Capt. Cecil William
Nuttall, Harry
O'Donnell, C. J. (Walworth)
Parker, James (Halifax)
Partington, Oswald)
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Pickersgill, Edward Hare
Price, C. E. (Edinb'gh, Central)
Priestley, Arthur (Grantham)
Priestley, W. E. B. (Bradford, E.)
Rasch, Sir Frederic Carne
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro')
Rees, J. D.
Richards, Thomas (W. Monm'th
Richardson, A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, Sir J. H. (Denbighs.)
Robertson, Sir G. Scott (Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Schwann, C. Duncan (Hyde)
Schwann, Sir C. E. (Manchester)
Scott, A. H. (Ashton-under-Lyne
Sears, J. E.
Seddon, J.
Seely, Colonel
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Stanger, H. Y.
Stanley, Hn. A. Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Stuart, James (Sunderland)
Summerbell, T.
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thomas, Sir A. (Glamorgan, E.)
Thomasson, Franklin
Thorne, G. R. (Wolverhampton)
Thorne, William (West Ham)
Torrance, Sir A. M.

Toulmin, George
Treveryan, Charles Philips
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Walton, Joseph
Wardle, George J.
Wason, John Cathcart (Orkney)
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. Dundas (Dumbart'nsh.
White, Luke (York, E.R.)
Whitley, John Henry (Halifax)
Whittaker, Rt Hn. Sir Thomas P.
Wilkie, Alexander
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Wilson, Hon. G. G. (Hull, W.)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, J. W. (Worcestersh, N.)
Wilson, W. T. (Westhoughton)
Wood, T. McKinnon
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood, Rt Hn. Sir Alex F.
Balcarres, Lord
Baldwin, Stanley
Banner, John S. Harmood-
Baring, Capt. Hn. G. (Winchester
Bignold, Sir Arthur
Bull, Sir William James
Carlile, E. Hildred
Cecil, Lord R. (Marylebone, E.)
Clive, Percy Archer
Courthope, G. Loyd
Faber, George Denison (York)
Fletcher, J. S.
Gooch, Henry Cubitt (Peckham)
Gretton, John
Guinness, W. E. (Bury S. Edm.)
Helmsley, Viscount
Hills, J. W.
Houston, Robert Paterson
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Lockwood, Rt. Hn. Lt.-Col. A. R.
Lowe, Sir Francis William
Marks, H. H. (Kent)
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
Oddy, John James
Pease, Herbert Pike (Darlington
Ratcliff, Major R. F.
Rawlinson, John Frederick Peel
Renwick, George
Salter, Arthur Clavell
Starkey, John R.
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Walker, Col. W. H. (Lancashire)
Walrond, Hon. Lionel
Warde, Col. C. E. (Kent, Mid)
Whitbread, Howard
White, Patrick (Meath, North)
Young, Samuel
Younger, George

TELLERS FOR THE NOES—Mr. Mitchell-Thomson and Mr. Ashley.

Amendment proposed—

"In page 18, line 25, to leave out the words 'licensing justices,' and insert the word 'court.'"—(*Sir S. Evans.*)

Amendment agreed to.

MR. RAWLINSON moved to omit from the subsection the words "as a drinking club," and to substitute "for the supply of excisable liquor." The effect of the Amendment would be to strengthen the subsection. Objection could be taken to any club on the ground that it was used or was to be used mainly as a drinking club. He pressed very strongly on the Government to give the exact idea of what they meant by a drinking club. It was an absolutely new expression so far as he knew, and existed in no Act of Parliament at present. It would be exceedingly difficult for any bench of magistrates to determine exactly what was meant. The expression which he proposed to insert existed in the Scottish and, he believed, in the Irish Act as well. The term "drinking club" was certainly a vague term exceedingly difficult of legal definition. It would probably to most lay minds include what was simply a place in its nature illegal—a shebeen or a place where drinking was allowed improperly or *mala fide*, or in some way evading excise, or something of the kind. "Mainly for the supply of excisable liquor" would be very much wider, and would include undoubtedly clubs which depended practically entirely for their revenue upon the sale of excisable liquor. The alteration of those words would make the clause much more easy to administer. A club supported mainly by supplying excisable liquor, and making all its profits from that sale, would immediately close its doors if the sale was stopped. Nobody could give a legal definition of a drinking club. He might anticipate a definition given by an hon. Member below the gangway and suggest that a drinking club was a place where more than half the revenue was derived from the sale of intoxicating liquors. He begged to move his Amendment.

Amendment proposed—

"In page 18, line 26, to leave out the words 'as a drinking club,' in order to insert the words 'for the supply of excisable liquor.'"—(*Mr. Rawlinson.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

SIR S. EVANS said that there had been no paucity of Amendments to the various clauses of this Bill, and asked the Committee to note that if there had been any great difficulty about the term "drinking club" an Amendment would have been put down before now. The hon. and learned Member reminded him that he could not give a legal definition of the term. He admitted that. It was not possible for any human being to do so. It was not a question of law, but of fact, since whatever difficulty and vagueness existed turned on the word "mainly" and not on "drinking club," which was a question of fact. What was a club that existed mainly for the supply of excisable liquor?

MR. RAWLINSON: That means that the bulk of its income is derived from profits on the sale of excisable liquor.

SIR S. EVANS: What do you mean by bulk?

MR. RAWLINSON: The major part of its income; that is, more than half.

SIR S. EVANS said that if the hon. and learned Gentleman meant that, it was not his Amendment, but was the point that the Committee had already decided. Was it the policy of the party opposite to say that when a club made more than half its income out of its profits from the sale of excisable liquor it should be shut up?

MR. RAWLINSON said that he was under a slight difficulty in answering the question, because on this question he had voted with the Government. He hoped he had kept an open mind throughout the whole of the debates to find out where justice lay, and whether the real intention of the Bill was temperance or an attack on the brewers. If the latter, he would not support the Government; but if the former, he would occasionally do so.

SIR S. EVANS said there was not even the germ of an attack upon the brewers in this matter. If brewers created bogus clubs, of course they would come within the provisions of this clause. He had put his Amendment down to define drinking clubs, but that was a question with which a bench of justices would have no difficulty whatever in dealing. Supposing the hon. and learned Member were a stipendiary magistrate knowing all the circumstances, did he contend that he would not be able to make up his mind from the evidence whether the club was a drinking club or not? The mover of this Amendment had not given any explanation of the phrase "mainly for the supply of excisable liquor." There was no difference in meaning, in his view, between this Amendment and the words proposed by the Government. The only difference was in the words; there was no difference in substance. He did not wish to prolong the discussion for any length of time, otherwise he would invite the hon. and learned Member to point out the difference between the two Amendments.

MR. MITCHELL-THOMSON said that the Courts in Scotland had held that, so far as first registration was concerned, the question of what was or was not "a drinking club" was not a question of fact at all. It was unfortunate that the word "mainly" was used in the Scottish Act, but it came from the present Lord Advocate, and that right hon. Gentleman's party had never taken exception to it. He wanted to know why the Government had departed from the precedent and put in words concerning which there had been no definition.

MR. RAWLINSON said his object had been served in raising the point. But the Government having before them the Scottish and the Irish Acts, had altered the words and brought in others. "Drinking club" was too vague, and indicated something of rowdyism, but an Amendment which said that a club existed mainly for the supply of excisable liquors brought in the question of profits made. He asked leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

*THE UNDER-SECRETARY OF STATE FOR THE HOME DEPARTMENT (MR. HERBERT SAMUEL, Yorkshire, Cleveland) moved an Amendment having for its object the inclusion in the grounds on which notices of objection may be lodged to the registration or the renewal of the registration of a club the ground "that the club is bound by any covenant, agreement, or undertaking, or is otherwise under an obligation to obtain a supply of any intoxicating liquor from any particular person, not being a club which was so bound or under such an obligation before the passing of this Act." The Amendment was one of some importance. It effected a large extension in the law relating to new clubs and to certain existing clubs. The Government had been quite alive from the beginning to the dangers that might arise after the passing of the Bill from the creation of clubs intended mainly for drinking purposes, and in order to safeguard the position, the Government proposed not only to provide that clubs which were mainly drinking clubs should not be registered and might be suppressed, but to prevent the creation of what might be called "tied clubs." Under the Act of 1902 it was provided that a club might be struck off the register if the supply of intoxicating liquor was not under the control of the members or a committee appointed by the members. But from many quarters it had been pointed out that that provision was not sufficient to prevent the abuse arising of persons engaged in the liquor industry fostering the creation and financing the operations of drinking clubs, in order to secure an additional outlet for their products. The Government were anxious to adopt any suggestions that could be made for the strengthening of the club clauses in the Bill without causing undue interference with the amenities of properly conducted clubs. He believed that this proposal would not meet with opposition from any of the club representatives, and hoped that the Opposition, which had hitherto been endeavouring to induce the Government to weaken the club clauses, would on this occasion support them in an extension of them. The provision applied, not only where there was a legal covenant, but where there was some other understood obligation which bound a club to a particular brewer or distiller. It was not possible to go back on existing undertakings and to apply this clause to clubs which had been established in good faith, possibly with the assistance of some brewer, and which on the faith of the present law had entered into obligations and contracted debts. They were providing against the creation of new clubs by the brewers, and against existing clubs, which were not tied, becoming tied in the future. Some of his hon. friends had Amendments on the Paper which would tend to enlarge the scope of this provision, but after very careful consideration the Government were of opinion that it would be difficult to find any form of words which would enlarge the provision the Government had placed on the Paper without causing injustice and injury in other directions. His hon. friend the Member for North St. Pancras had given notice of an Amendment which only dealt with cases where clubs were owned or leased, but club premises might be mortgaged, or the furniture might be obtained on hire through a brewer, and an obligation created in that way. The hon. Member for East Northamptonshire proposed to add to the Amendment the words "or that any person or company engaged in the sale or manufacture of intoxicating liquor is either directly or indirectly proprietor of, or interested in the profits of, or finances such club." These words had an exceedingly wide signification. Take the case of men engaged in the brewing industry who were also the landlords of large estates. On these estates they might have built village clubs. These clubs might not be tied to a particular brewer, and yet by his hon. friend's Amendment they would be wiped out of existence unless the owner of the estate ceased his brewing business or sold the land and the premises of the club to an independent body or person. There were cases in which a club had issued debentures on its buildings, and one or more of the debentures might be held by a brewer or distiller, or wine merchant. It would surely be an extension far beyond the intention of Parliament to penalise a club in that position. After very careful consideration, and after testing many alternative forms of words, the Government had come to the conclusion that the Amendment was not insufficient to meet the needs of the case.

Amendment proposed—

"In page 18, line 29, at end, to insert the words 'on the ground that the club is bound by any covenant, agreement, or undertaking, or is otherwise under an obligation to obtain a supply of any intoxicating liquor from any particular person not being a club which was so bound or under such an obligation before the passing of this Act.' "—(*Mr. Herbert Samuel.*)

Question proposed, "That those words be there inserted,"

MR. ASHLEY (Lancashire, Blackpool) said that although he had a great deal of sympathy with the Amendment, it seemed that if it was passed without modification they would do a certain amount of injury to the legitimate club. Supposing a club wished to make an agreement with a certain wine merchant to buy their liquor exclusively for a certain term of years, the club would probably be able to obtain far better terms than otherwise. Under the Amendment that would be absolutely prohibited. Therefore, he thought the Under-Secretary ought to introduce some modification to meet such a case. But even supposing he did, was the Amendment really necessary? Clause 28 of the 1902 Act provided that where a club had been registered in pursuance of that Act a Court of summary jurisdiction, on complaint in writing by any person might, if it thought fit, make an order directing the club to be struck off the register—and then there were certain grounds on which that might be done, the last of which was that the supply of intoxicating liquor to the club was not under the control of the members or a committee appointed by the members. Surely that provision of the 1902 Act covered the very point the Committee was discussing.

*SIR FRANCIS CHANNING said he was not at all convinced that the Amendments standing in his name and that of the Member for St. Pancras were not essential to the object they had in view. The real issue which they had to face in this part of the Bill was that when they swept away large numbers of public-houses and turned loose on a neighbourhood many persons who had accustomed themselves to excessive indulgence in drink there was an overpowering motive for the brewers to employ their capital in two ways. First, it was only too easy to find clubs which were in financial difficulties and to advance large sums of money to them. He did not wish in the least to detract from the essential point covered by his hon. friend's Amendment. It was of vital importance to prevent the establishment of tied clubs, but he urged the Committee fully to consider the other point which he was laying before them. Brewing companies might go to such a club and say, "We will make your club a great success, we will advance money and make things attractive," and nothing would be more easy than to evade the more stringent provisions of the Bill, unless there was a specific prohibition of such a course of action on the part of the brewery companies. Otherwise they might put in illusory committees of management and run the whole affair under the guise of a club. That evil was not guarded against unless they introduced words distinctly prohibiting the employment of brewers' capital in that way. Of course, the same argument would apply to the creation of new clubs. He was well aware that many clubs were in a struggling and impecunious condition. They would be an easy prey of brewers who would be most anxious to manipulate them in order to enlarge the dividends of their companies. The hon. Member for East Somerset, who had also an Amendment on the Paper, had given him many illustrations of cases such as he had just described having been actually carried out by brewing companies within the last year or two even employing the compensation received under the Act of 1904 for this purpose. Although there might be some hardship on a golf club or a charitable club on a large estate, he believed these could be provided for otherwise. The real evil which they had to face was that while they were sweeping away by the Bill a large number of public-houses, they were creating an irresistible tendency to brewing companies to capture existing clubs, or create new ones. In a Memorandum circulated by the secretary to the Working Men's Club and Institute Union, it was stated that the union welcomed the Amendment of the hon. Member for East Somerset and other Amendments to effect the same object so long as they were not made retrospective. He begged to move to add to the Amendment the following words: "or that any person or company engaged in the sale or manufacture of intoxicating liquor is either directly or indirectly proprietor of, or interested in the profits of, or finances such club."

*THE DEPUTY-CHAIRMAN said that an Amendment had been handed in which would come in before that of the hon. Baronet.

*MR. RAMSAY MACDONALD (Leicester) said he very much doubted whether the Amendment before the Committee would really carry out the intention of the Government. If he might venture to say so with respect, he did not think the Government understood the working of working men's clubs. If they inquired into the action of the tied clubs they would find that in only a comparatively small number of cases was there a covenant. The tie appeared in all sorts of ways. A number of workmen went to a licensed victualler or a brewer and said they proposed to start a club, and asked him to supply liquor up to a certain quantity. The drink was supplied and remained as a debt against the club. There was no covenant or obligation written or in terms, but they knew perfectly well that, if they ceased to deal with the person who had supplied the drink, that person would close upon them and the club would cease to exist. The question was whether such a transaction was covered by the expression "or otherwise under an obligation." He held that there was no legal obligation, but, from a common-sense point of view, that club, which might be in debt to the person in sums varying from £20 to over £100, would still go to that person for their supplies of drink. Therefore, the Government had to go behind covenants, agreements, or undertakings, and consider all the circumstances which operated so as to take away free agency from the committee of the club in entering into a contract. It had been said that a club might find it convenient to enter into a contract with one wine merchant or brewer for the supply of liquor for a term of years, so that it might get its drink cheaper; but the difficulty was, could the Government devise a form of words to allow such contracts, but prohibit the tieing of clubs. He thought that the Amendment of the hon. Member for East Northamptonshire was much nearer the truth, and struck more accurately and definitely at the root of the evil than the words of the Government Amendment. He asked the Government to reconsider the question and deal with the obligation behind the formal obligation, deal with the circumstances which prevented committees of clubs from being free agents in ordering the drink consumed by their members.

LORD BALCARRES (Lancashire, Chorley) said he could not help agreeing with the hon. Member for Leicester that this Amendment would not carry out the object of the Government. The Under-Secretary had told them that his Amendment had been very carefully considered by the Government, but even if that were so, he believed that it would do an injustice to the tie system. He belonged to a club which might or might not be mainly used for drinking purposes—the Carlton Club. That club habitually made agreements with tradesmen, and the National Liberal Club did the same—to acquire a certain class of wine which was sometimes not to be delivered for two or three years, but, in the interest of the club and not in the interest of the tyrannous wine merchant, a covenant was entered into that when the liquor was required the article should be duly delivered. The club entered into precisely similar agreements for the supply of meat and bread. What was the good of saying that the club should not enter into an agreement with a wine merchant to supply wine? Under the Amendment if the club entered into such an agreement with any person to obtain liquor, then anybody might go to a stipendiary magistrate, raise an objection against the club, and the club might be shut up and all the members of the committee of the Carlton might be fined. That was not intended, but that was the effect of the Amendment.

SIR S. EVANS: No.

LORD BALCARRES: Yes, if the Carlton Club entered into an agreement with a particular person to supply intoxicating liquor. He would not enter into the point raised by the hon. Member for Leicester. So far as his own experience went the point was quite good. They were, however, going to inflict hardships in the case of straightforward *bona fide* transactions and at the same time were not going to carry out the intentions of the Government. He agreed with the interesting statement of an hon. Member opposite that the adoption of this Bill would lead to the immediate multiplication of new clubs.

MR. MACLEAN (Bath) said he knew of the case of a club which was furnished by a brewer, and there was no obligation, covenant, agreement, or undertaking that the liquor for the club should be supplied by him. There was simply an understanding, and on the faith of that understanding the whole of the liquors used in that club were obtained from that brewer. He suggested to the Solicitor-General that in line 2 of the Amendment moved by the Under-Secretary the word "or" should be left out and after the word "undertaking," the words "or understanding" should be inserted. [AN HON. MEMBER on the Opposition Benches: That's no use.] He suggested that such words as these would cover particular cases such as he had mentioned which occurred very often, and also the cases which were in the mind of the hon. Member for Leicester. He begged to move.

Amendment to the proposed Amendment proposed—

"In line 2, to leave out the word 'or,' after the word 'agreement,' and to insert after the word 'undertaking' the words 'or understanding.'"—(*Mr. Maclean.*)

Question proposed, "That the word 'or' stand part of the proposed Amendment."

*MR. G. D. FABER said the Committee had arrived at rather a strange position, and the strangeness of it was caused by the fact that they were trying to do an impossible thing. The Government wanted to prevent grown men, sane men, voters of this country, from making arrangements with any particular firm which they, of their own free will and accord, might wish to make. They could not do it whatever Amendment might be accepted by the House, and the people concerned would be able to drive a coach and four through the statute. While the panorama of this Bill had been slowly unfolded from day to day, and week to week, and he had had the honour of sitting there almost the whole time, one thing had become more and more clear to his mind, and that was that the desire for temperance on the part of the Government supporters had lessened, and the hatred of the brewer had increased, and perhaps to the hatred of the brewer he might add the hatred of the wine merchant. They knew that the human mind was very complex, and that sometimes a man might not be aware of the motives which were pushing him in a particular direction. He knew that there were a great many Members on the other side of the House who did genuinely desire to achieve temperance by means of this measure, but so complex, as he had said, was the human mind that as they on the one hand had not been able to achieve it and saw the Bill would not achieve it, they took refuge in an increased hatred of the person who supplied the drink. Surely hon. Members on the other side of the House wanted to do justice, and not simply and solely to run amok at the brewer or the supplier of intoxicating liquors. That was the effect of the Amendment. But working men's clubs did not purchase only intoxicating liquors. How about cigars and tobacco? How could a sensible Committee, which for the purpose of his argument he was willing to assume it was, say that a working men's club should not be "tied" to a brewer or a wine merchant but might be tied to the mineral water or the cigar merchant. The Amendment of the Under-Secretary for the Home Office did not even agree with the Minority Report of the Royal Commission. The Government had no right to injure any particular trade—the brewing trade or the wine merchants' trade—by saying that they should not be allowed to make agreements or arrangements to supply their liquors to the clubs of this country. He doubted very much whether it was of any possible advantage to the clubs, because after all, if they made an agreement with a particular firm they were not only able to get better treatment but they were very often able to get better liquor than if they bought from a number of firms instead of one. But on the larger point the Government could not treat working men's clubs in this country as if they were made up of children. There was no trust shown by the Government in their own Bill. They certainly did not trust each other. They did not trust the Opposition. They did not trust the licensing justices, and now they did not trust the working men's clubs to make their own bargains and supply themselves with intoxicating liquors from any quarter they pleased. The whole affair was being reduced to a farce. The Government were venturing on an impossible task, and in blindly trying to do mischief to a particular trade they were putting themselves in a ridiculous position.

Mr. W. R. REA (Scarborough) said he ventured last night to suggest an Amendment on this very important question, and he was glad they had made a substantial advance on what was originally proposed. He looked upon this as one of the most important clauses of the Bill. It was absolutely vital to the principles they had at heart that this clause should be watertight, and that it should not be possible for clubs to make these bargains. The clause should be so carefully constructed that it should not be possible for the unlicensed club to take the place of the suppressed public-house. The Government had gone a very long way to meet the point he wished to put, in cutting a clear line between clubs which already existed and clubs which might be created in future with a view of evading the provisions of this Act. But they had only done that with respect to the "tied" club, and that did not cover all the evil, and he would show the Committee, as had been done by the hon. Member for Leicester, and others, that it was easy to design a clause to cover all the cases which the Government desired to meet. He submitted they might attain the same end and achieve a much greater result if they would, instead of stating definitely that "tied" clubs were to be forbidden, state that in the case of all clubs created after the passing of this Act the magistrates, or whoever might be the registering authority, should have a very considerable discretion to say whether or not they would issue a licence. That would meet the case that had been raised in regard to "ties," and it would also enable them to meet other difficulties.

Viscount HELMSLEY (Yorkshire, N.R., Thirsk) asked whether it was in order for the hon. Member to argue generally when there was an Amendment before the Committee.

The CHAIRMAN answered in the negative, and said he thought the debate ought to be confined to the Amendment.

Mr. W. R. REA said it appeared to him that useful as that Amendment might be where "tied" institutions were concerned, the same end would be much better attained if, instead of putting definite words in the Bill, they were to leave the question to the discretion of the magistrates, but it should be an unfettered discretion.

Sir E. CARSON thought they had a little reason to complain that an Amendment of this kind was only put on the Paper last night, because it would take away the opportunities they were to have had of discussing the Bill.

*Mr. HERBERT SAMUEL said the Amendment was put down a day or two ago, and slightly altered last night.

Sir E. CARSON said that that did not in the least affect the point. When the closure Resolution was passed they thought they had the matured Resolution of the Government, all the wisdom of the Under-Secretary and others who had been engaged for months in formulating this drastic proposal, but they had introduced that evening a great and broad proposal which really took away the opportunity of discussing the original Bill. Further than that, when they complained of this novel proposal they were told that the limited time originally fixed for Report was to be still further encroached upon. It was reducing the procedure of the House to an absolute farce. So far as the Bill itself was concerned, they were really compelled to employ the time given for its discussion not to the Bill, but to any proposition which any Member of the faddist section which supported the Government chose to put forward. He understood that the hon. and learned Gentleman was not going to accept the Amendment—at least he assumed that he was not going to ask a Court of justice or any other Court to tell them what was the "understanding." He had heard of contracts, agreements, and obligations, and of inquiries into contractual agreements. But inquiries into understandings he had never heard of. They would never get at a man's understanding. To put forward an Amendment of this kind was almost trifling with the Committee. What were the Government coming to when it was suggested that it should be put upon the Courts to inquire as to a man's understanding? The Amendment itself was difficult enough as he would be prepared to argue when this triviality was disposed of. He suggested that the ingenuity of hon. Members opposite, who were so anxious to get at the understanding of working men's clubs, the various actions of brewers' minds, and the peculiarities of the brains of those who sold and consumed intoxicating liquors, would be far better employed in bringing forward an honest Amendment such as "or on the ground that the club was accustomed to buy its liquor from any brewer or licensed publican." He offered that to hon. Gentlemen opposite as a real contribution to temperance. That would get rid of the whole difficulty, and no doubt would become extremely popular with hon. and right hon. Gentlemen like the hon. Member for Lincoln and the right hon. Member for the Spen Valley. He was not so sure that it would be so popular with the working men's co-operative societies, stores, and institutions of that kind. If in the short time that remained they were going to discuss questions of understanding, the whole of the provisions of the Bill as it originally stood would be left undiscussed. They should try and frame this clause in such a way as to get behind the right of the public to make such contracts as they pleased.

Sir S. EVANS said the Government were always glad of the right hon. Gentleman's assistance, but, unfortunately, he had not thought fit to table such an Amendment as he had suggested on the subject with which the Committee were now dealing. But that was no reason why they should not attempt to deal with the question. The hon. Member for York had said it was both undesirable and impossible to deal with this matter. That was not so. Although difficult, there was a problem to deal with. That was obvious from the last subsection of the Act of 1904 to which the hon. Gentleman referred. Everybody knew that it was intended by that subsection to put some curb on the evil that might be created by the existence of "tied" clubs.

Sir E. CARSON said the object of the subsection was to prevent a person keeping what he was pleased to call a club for his own profit. To distinguish a club from a public-house it was necessary that the members should provide for their own requirements, as they did in their private houses, and this subsection was to prevent a man from keeping a public-house and calling it a club. That was why the committee of control was put in.

Sir S. EVANS said the evil that had to be grappled with was the evil of somebody being the proprietor of a club, and being able to bring pressure on the members to buy liquor of him. The hon. Member for York had said there was enough in the existing subsection to deal with that. That might be so, but it was acknowledged by everyone that the subsection having that intention in it had not been successful in thwarting the evil. The control mentioned in it did not mean legal control, and they had to go outside the subsection to obtain legal control. With regard to the Amendment, he would not like the word "understanding," but there must be some words. The words the Government had used were "or is otherwise under an obligation." The words, covenant, agreement and undertaking, all imparted a legal idea, but it was pointed out with great force by the hon. Member for Leicester that it was not every covenant, agreement, or undertaking, which ought to be dealt with. Some were genuine and *bona fide*, as was the case in regard to the Carlton Club which had been referred to, which bought its wine and had it delivered over a period of years. That should, of course, not be sufficient to take away the licence of the Carlton Club. He hoped the Committee would bear in mind that what the Government were doing here was to add another ground of objection only. They did not say that because there was a covenant, agreement, or undertaking, to buy liquor from a particular person it should be impossible to register a club. That would be simply fatuous. Therefore, what they had done was to put in words so that the justices, if any objection was made by reason of the dealings of a club with regard to liquor, might either uphold or dismiss the objection as they thought fit.' There must be some words, because it was perfectly obvious that if the evil could arise without any legal obligation, it could arise with a legal obligation. If they found a covenant to deal exclusively with a brewer, it might be perfectly proper for the justices to take that into consideration in deciding whether they would register the club or not. Those words therefore must be put in. They were of legal importance. The Government, however, went outside the legal matters coming immediately under these words when they came to the next words "or is otherwise under an obligation." He knew of no way of being under an obligation in law other than an obligation arising out of a covenant, agreement, or undertaking. They therefore, in saying "or is otherwise under an obligation to obtain a supply," went outside the four corners of the legal obligation.

SIR E. CARSON: Would the hon. Gentleman tell us what obligation there can be in an Act of Parliament except a legal obligation?

SIR S. EVANS said it was not a question of creating an obligation by Act of Parliament.

SIR E. CARSON: Have you any obligation except a legal one in an Act of Parliament?

SIR S. EVANS said they were not creating an obligation in an Act of Parliament; they were dealing with an obligation entirely outside an Act of Parliament. The "control" contemplated in the Act of 1902 could not be a legal control; it was absolutely impossible. There was the same kind of idea in the word "control" as they intended to be expressed in the word "obligation."

SIR E. CARSON: Give an instance of it.

SIR S. EVANS said the "obligation" therefore was something outside a legal obligation. He thought the Committee or the great majority of the Committee was clearly of opinion that circumstances under which an obligation of that kind arose must be dealt with. Suppoisng a man was the mortgagee of a place, he had absolute control over it. He knew the mortgage could not be paid off and he knew he could foreclose at any time and become the absolute owner of the property. It was obvious there that there was a power of control, a power of exercising pressure upon the members of the club. That was the same kind of pressure referred to by the hon. Member for Leicester. Apart from the historic form of covenant they had in a mortgage, there might be other circumstances in which a man was the creditor and the club the debtor. In such a case they would have that kind of pressure put upon the committee which would make it impossible for them to get their drink elsewhere; and, to all intents and purposes, whatever the intention of the committee might be, that made it a proprietary club. The Government were not wedded to the words in the Amendment. They certainly could not adopt the words used by his hon. friend, and he would ask him to withdraw his Amendment, if he saw fit, in order that they might discuss the wider Amendment in the name of the Under-Secretary. What they wanted to do was to provide against the evil which arose from there being any thing in the nature of a proprietary interest or control, by reason of the existence of the state of debtor and creditor, but, with regard to the actual words, they were certainly not wedded to those proposed. He thought they carried out the object; but if there should be any others suggested from whatever quarter they would be perfectly prepared to consider them.

MR. WYNDHAM said there were very few minutes left in which to endeavour to effect a divorce between the Government and the words to which they said they were not wedded, and to find some other words on which they might be more happily united. The Solicitor-General had asked his hon. friend to withdraw his Amendment, but he prefaced that request by reviewing the Government Amendment and justifying it by a reference to words which occurred at the end of the next subsection, and by wrapping up the whole defence in an interpretation he placed upon certain words in the Act of 1902.

Under those circumstances perhaps he might be allowed, very briefly, to cover some portion of the field the Solicitor-General had traversed. His only plausible defence was that the words in the previous Act—

> "That the supply of intoxicating liquor to a club is not under the control of the members or committee appointed by the members—"

really covered, if properly interpreted, the Amendment for which the Government was responsible. That was a ground of objection which the framers of the Act of 1902 thought a valid ground, and, as his hon. and learned friend had explained, those words appeared in that Act in order that the club, and the committee of the club, should be the parties considered and not a single individual occupying the position of a publican who was the tenant of a house. The Solicitor-General had put another interpretation on the words. The Government Amendment directed legislation not against a club in which one person acted as the proprietor and in which the members were not concerned, but against the members of a club and their committee regularly elected. That was the distinction. The only plausible defence, therefore, which the Solicitor-General had put forward, viz., that the words in the Act of 1902 covered his, might, he thought, be swept away; and they had to consider his action in its naked simplicity without the gauze drawn from their own legislation. The action contemplated by the Government was that the real club, the *bona fide* members and their committee regularly elected, were to be subjected to the annoyance year after year, of interpolation by any person residing in any part of the United Kingdom. The Solicitor-General said that the club members and the committee might have an objection lodged against them by anybody if the club members and their committee had entered into any covenant, agreement, or undertaking. It followed that if they had entered into any of these contracts, which he thought were perfectly legal and proper, they would still be subjected to this annoyance. If they had undertaken to buy their beer for six months from any brewer, it would, under the Amendment, be open to anybody living in any part of England to lodge an objection against the *bona fide* members of the club and their committee properly elected. But he put it forward, as a speculation—he quoted the hon. Gentleman's words—that "nobody would object on that ground." Were they to depend upon that? Were the members of every workmen's club in England to depend upon the opinion of the Solicitor-General that nobody in England would ever advance an objection because they had entered into a contract with a brewer? That was the very reason on which the strict objector advanced his objection. Why, when he had that objection presented to him in an Act of Parliament, should he search further afield? Here was his strict case. He could go forward every time and say the club had broken a provision of the Licensing Act by entering into a covenant or agreement. The Solicitor-General was not satisfied with that. He wished to add further words—not the word "understanding"—words not yet devised, which would give the strict objector a wider field for harrassing interference with the social centres of the working classes on the ground that the *bona fide* members of any workmen's club and the committee elected by them, had entered into a contract for some part of the provisions they required.

*Mr. HERBERT SAMUEL said that hon. Gentlemen opposite seemed to think it was utterly impracticable to attempt in any way to prevent the system of tied clubs, and, not only impracticable, but a gross interference with the liberty of grown men to prevent them entering into any contract they pleased. He gathered that the view of the right hon. Gentleman who had just spoken and the right hon. and learned Gentleman beside him was that the words in the Act of 1902 "that the supply is not under the control" were not intended to aim at the system of tied clubs, but he found, on reference to *Hansard*, that Mr. Ritchie, in moving the Amendment, used the following words—

> "The object of the Amendment standing in his name was simply to deal with the clubs established simply for the sale of liquor and for the purpose of profit to those who supplied the liquor."

That was the purpose also of their Amendment. A point had been raised by the hon. Member for Manchester and other

Members, and it needed to be met. They said that ordinary contracts to purchase might be believed to come within the meaning of the clause. Of course, that was not by any means the intention of the clause. They wished to deal with what might be called the tied club, and not the free club. Both might have a contract to purchase, but in the case of the tied club, besides the mere sale of liquor there was the tie; there was an understanding, an obligation, other and beyond the ordinary contract to purchase liquor for the supply of members. In order to meet that point words would be placed upon the Paper before the next stage to make it quite clear that the application of the clause was only in a case where the club was constrained to purchase liquor by the fact that the supplier of liquor had a proprietary interest in the club, or was a creditor of the club, or words to that effect.

SIR E. CARSON: May I ask when we shall see the words?

*MR. HERBERT SAMUEL: At the earliest possible moment; probably the day after the Committee stage is over.

MR. MACLEAN asked leave to withdraw his Amendment.

Leave refused.

Amendment to proposed Amendment negatived.

And, it being half-past Ten of the clock, the CHAIRMAN proceeded, in pursuance of the Order of the House of 17th July, to put forthwith the Question on the Amendment already proposed from the Chair.

Question put, "That those words be there inserted."

The Committee divided:—Ayes, 299; Noes, 88. (Division List No. 334.)

AYES.

Acland, Francis Dyke
Adkins, W. Ryland D.
Agar-Robartes, Hon. T. C. R.
Agnew, George William
Ainsworth, John Stirling
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Asquith, Rt.Hn.Herbert Henry
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow, Sir John E. (Somerset)
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beauchamp, E.
Beaumont, Hon. Hubert
Beck, A. Cecil
Benn, SirJ.Williams(Devonp'rt
Bennett, E. N.
Berridge, T. H. D.
Bethell SirJ.H.(Essex,Romf'rd
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brooke, Stopford
Brunner, J. F.L.(Lancs.,Leigh)
Bryce, J. Annan
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn.SydneyCharles
Byles, William Pollard

Cameron, Robert
Carr-Gomm, H. W.
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cheetham, John Frederick
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins,SirWm.J.(S.Pancras,W.
Compton-Rickett, Sir J.
Corbett, C H(Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crooks, William
Crossley, William J.
Curran, Peter Francis
Dalmeny, Lord
Dalziel, James Henry
Davies, David(Montgomery Co.
Davies, M. Vaughan (Cardigan)
Davies, Timothy (Fulham)
Davies, SirW.Howell(Bristol,S.
Dewar, Arthur (Edinburgh, S.)
Dickinson, W.H.(St.Pancras,N.
Dobson, Thomas W.
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Erskine, David C.
Essex, R. W.
Esslemont, George Birnie
Evans, Sir Samuel T.
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Findlay, Alexander
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)

Glen-Coats, Sir T. (Renfrew,W
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Gulland, John W.
Gurdon, RtHn.SirW.Brampton
Haldane, Rt. Hon. Richard B.
Harcourt,Rt.Hn.L.(Rossendale
Harcourt, Robert V.(Montrose)
Hardie, J.Keir(MetrhyrTydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey,W.E.(Derbyshire,N.E.
Harwood, George
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hedges, A. Paget
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J.M.(Aberdeen,W.)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon.,S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hooper, A. G.
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Isaacs, Rufus Daniel
Jacoby, Sir James Alfred

Jardine, Sir J.
Johnson, John (Gateshead
Jones, Sir D. Brynmor (Swansea
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster)
Lamb, Ernest H. (Rochester)
Lamont, Norman
Layland-Barratt, Sir Francis
Leese, Sir Joseph F. (Accrington
Lever, A. Levy (Essex, Harwich)
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah (Down, S.)
M'Callum, John M.
M'Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren, Sir C. B. (Leicester)
Mallet, Charles E.
Mansfield, H. Rendall (Lincoln)
Marks, G. Croydon (Launceston)
Marnham, F. J.
Mason, A. E. W. (Coventry)
Massie, J.
Masterman, C. F. G.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morpeth, Viscount
Morrell, Philip
Morton, Alpheus Cleophas
Murray, Capt. Hn A. C. (Kincard.
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
O'Grady, J.
Parker, James (Halifax)
Partington, Oswald
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse
Perks, Sir Robert William
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pirie, Duncan V.
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Price, C. E. (Edinburgh, Central
Priestley, Arthur (Grantham)
Priestley, W. E. B. (Bradford, E.)
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Rees, J. D.
Richards, Thomas (W. Monm'th
Richards, T. F. (Wolverh'mpt'n
Richardson, A.
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, Sir J. H. (Denbighs)
Robertson, Sir G. Scott (Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rose, Charles Day
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann, Sir C. E. (Manchester)
Scott, A. H. (Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Colonel
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick, B.)
Sherwell, Arthur James
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Albert (Staffs, N.W.)
Stanley, Hn. A. Lyulph (Chesh.
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Summerbell, T.
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Tennant, Sir Edward (Salisbury
Tennant, H. J. (Berwickshire)
Thomas, Abel (Carmarthen, E.)
Thomas, Sir A. (Glamorgan, E.)
Thomasson, Franklin
Thorne, G. R. (Wolverhampton)
Thorne, William (West Ham)
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Walters, John Tudor
Walton, Joseph
Ward W. Dudley (Southampton
Wason, Rt. Hn. E. (Clackmannan
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. Dundas (Dumbart'nsh
White, Luke (York, E. R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker, Rt Hn. Sir Thomas P.
Wiles, Thomas
Wilkie, Alexander
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Williamson, A.
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid.)
Wilson, J. H. (Middlesbrough)
Wilson, J. W. (Worcestersh. N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Wodehouse, Lord
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood, Rt Hn. Sir Alex F.
Anson, Sir William Reynell
Anstruther-Gray, Major
Ashley, W. W.
Balcarres, Lord
Baldwin, Stanley
Balfour, Rt Hn. A. J. (City Lond.)
Banbury, Sir Frederick George
Banner, John S. Harmood-
Baring, Capt. Hn. G (Winchester
Barrie, H. T. (Londonderry, N.)
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bottomley, Horatio
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Cave, George
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Courthope, G. Loyd
Craik, Sir Henry
Cross, Alexander
Du Cros, Arthur Philip
Duncan, Robert (Lanark, Govan
Fardell, Sir T. George
Fletcher, J. S.
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Gooch, Henry Cubitt (Peckham)
Gretton, John
Guinness, Hon. R. (Haggerston)
Guinness, W. E. (Bury S. Edm.)
Harris, Frederick Leverton
Harrison-Broadley, H. B.
Helmsley, Viscount
Hill, Sir Clement

Hills, J. W.
Houston, Robert Paterson
Hunt, Rowland
Kerry, Earl of
Kimber, Sir Henry
King, Sir HenrySeymour(Hull)
Lambton, Hon. Frederick Wm.
Lee,Arthur H.(Hants,Fareham
Lockwood,Rt.Hn. Lt.-Col.A.R.
Long,Col. Charles W.(Evesham
Long,Rt.Hn.Walter (Dublin,S)
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
MacCaw, William J. MacGeagh
Magnus, Sir Philip
Marks, H. H. (Kent)
Meysey-Thompson, E. C.
Morrison-Bell, Captain
Nicholson,Wm. G. (Petersfield)
Nield, Herbert
Oddy, John James
Parkes, Ebenezer
Pease,Herbert Pike(Darlington
Percy, Earl
Rasch, Sir Frederick Carne
Ratcliff, Major R. F.
Rawlinson,John Frederick Peel
Renton, Leslie
Renwick, George
Ronaldshay, Earl of
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Smith,Abel H. (Hertford, East)
Stanier, Beville
Starkey, John R.
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Talbot, Rt.Hn.J.G.(Oxf'dUniv.
Thomson,W.Mitchell- (Lanark)
Valentia, Viscount
Walker,Col. W.H. (Lancashire)
Walrond, Hon. Lionel
Warde, Col. C. E. (Kent, Mid)
White, Patrick (Meath, North)
Wilson,A.Stanley (York, E. R.)
Wortley, Rt. Hon. C.B. Stuart-
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE NOES.—Mr. George Faber and Mr. Evelyn Cecil.

The CHAIRMAN then proceeded successively to put forthwith the Question on the Amendments moved by the Government, of which notice had been given, and the Questions necessary to dispose of the business to be concluded this day.

Amendments proposed—

"In page 18, line 31, to leave out from the word 'the,' to end of subsection, and to insert the word 'Court.'"

"In page 18, line 36, to leave out the words 'licensing justices,' and to insert the word 'Court.'"

"In page 18, line 39, to leave out the words 'licensing justices,' and to insert the word 'Court.'"—(*Sir S. Evans.*)

"In page 19, line 3, to leave out the word 'such,' and to insert the words 'a specified.'"

"In page 19, lines 3 and 4, to leave out the words 'not exceeding,' and to insert the words 'which may extend to twelve months in the case of the first order made in respect of any premises and to.'"

"In page 19, line 4, to leave out the words 'as they think fit to direct," and to insert the words 'in the case of a second or any subsequent order made in respect of the same premises.'"—(*Mr. Herbert Samuel.*)

"In page 19, line 4, to leave out the words 'justices,' and to insert the word 'Court.'"

"In page 19, line 8, to leave out the words 'licensing justices,' and to insert the word 'Court.'"

"In page 19, line 9, to leave out the words 'the same.'"

"In page 19, line 9, to leave out from the word 'manner' to the word 'and,' in line 11, and to insert the words 'provided by the Summary Jurisdiction Acts.'"

"In page 19, line 14, to leave out the words 'licensing justices,' and to insert the words 'Court from which the appeal is made.'"

"In page 19, line 14, at end, to insert the words 'During the pendency of any appeal under this provision against an order upholding an objection to the renewal of the registration of a club, the operation of the order shall be suspended.'"

"In page 19, line 15, to leave out the words 'licensing justices,' and to insert the word 'Court.'"

"In page 19, line 16, to leave out the word 'justices,' and to insert the word 'Court.'"

"In page 19, line 18, after the word 'shall,' to insert the words 'without delay.'"—(*Sir S. Evans.*)

Amendments agreed to.

Question put, "That the Clause, as amended, stand part of the Bill."

The Committee divided:—Ayes, 306; Noes, 92. (Division List No. 335.)

AYES.

Acland, Francis Dyke
Adkins, W. Ryland D.
Agar-Robartes, Hon. T. C. R.
Agnew, George William
Ainsworth, John Stirling
Allen, A.Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Asquith,Rt.Hn. Herbert Henry
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker,Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring,Godfrey (Isle of Wight)
Barlow, Sir John E. (Somerset)
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beauchamp, E.
Beaumont, Hon. Hubert
Beck, A. Cecil
Benn,Sir J.Williams(Devonp'rt
Bennett, E. N.
Berridge, T. H. D.
Bethell,Sir J.H.(Essex,Romf'rd
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brooke, Stopford
Brunner,J.F.L. (Lancs., Leigh)
Bryce, J. Annan
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Buxton,Rt.Hn. SydneyCharles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cheetham, John Frederick
Churchill, Rt. Hon. Winston S.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins,SirWm.J.(S.Pancras, W
Compton-Rickett, Sir J.
Corbett,C H (Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John

Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crooks, William
Crosfield, A. H.
Crossley, William J.
Curran, Peter Francis
Dalmeny, Lord
Dalziel, James Henry
Davies, David (Montgomery Co.
Davies, M. Vaughan- (Cardigan
Davies, Timothy (Fulham)
Davies, Sir W. Howell (Bristol, S.
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras, N
Dickson-Poynder, Sir John P.
Dobson, Thomas W.
Duncan, C (Barrow-in-Furness)
Duncan, J. H. (York, Otley)
Edwards, Clement (Denbigh)
Erskine, David C.
Essex, R. W.
Esslemont, George Birnie
Evans, Sir Samuel T.
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Findlay, Alexander
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Glen-Coats, Sir T. (Renfrew, W.
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Gulland, John W.
Gurdon, Rt Hn. Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardie, J. Keir (Merthyr Tydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey, W. E. (Derbyshire, N. E.
Harwood, George
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hedges, A. Paget
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hooper, A. G.
Hope, W. Bateman (Somerset, N
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Isaacs, Rufus Daniel
Jacoby, Sir James Alfred
Jardine, Sir J.
Johnson, John (Gateshead)
Jones, Sir D. Brynmor (Swansea
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lamont, Norman
Layland-Barratt, Sir Francis
Leese, Sir Joseph F. (Accrington
Lever, A. Levy (Essex, Harwich)
Levy, Sir Maurice
Lewis, John Herbert
Lockwood, Rt. Hn. Lt.-Col. A. R
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah (Down, S.
M'Callum, John M.
M'Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren, Sir C. B. (Leicester)
Mallet, Charles E.
Mansfield, H. Rendall (Lincoln)
Marks, G. Croydon (Launceston)
Marnham, F. J.
Mason, A. E. W. (Coventry)
Massie, J.
Masterman, C. F. J.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morton, Alpheus Cleophas
Murray, Capt. Hn A. C. (Kincard.
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
O'Grady, J.
Parker, James (Halifax)
Partington, Oswald
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Perks, Sir Robert William
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pirie, Duncan V.
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Price, C. E. (Edinburgh, Central)
Priestley, Arthur (Grantham)
Priestley, W. E. B. (Bradford, E.)
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Rees, J. D.
Richards, Thomas (W. Monm'th
Richards, T. F. (Wolverh'mpt'n
Richardson, A.
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, Sir J. H. (Denbighs.)
Robertson, Sir G Scott (Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rose, Charles Day
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann, Sir C. E. (Manchester)
Scott, A. H. (Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Colonel
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick, B.)
Sherwell, Arthur James
Shipman, Dr. John G.
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Albert (Staffs, N.W.)
Stanley, Hn. A. Lyulph (Chesh.
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Summerbell, T.
Sutherland, J. E.
Talbot, Rt. Hn. J. G. (Oxf'd Univ.
Taylor, Theodore C. (Radcliffe)
Tennant, Sir Edward (Salisbury
Tennant, H. J. (Berwickshire)
Thomas, Abel (Carmarthen, E.)
Thomas, Sir A. (Glamorgan, E.)
Thomasson, Franklin
Thorne, G. R. (Wolverhampton)
Thorne, William (West Ham)
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Walters, John Tudor
Walton, Joseph
Ward W. Dudley (Southampton

Wason, Rt. Hn. E. (Clackmannan
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. Dundas (Dumbart'nsh.
White, Luke (York, E. R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker, Rt Hn. Sir Thomas P
Wiles, Thomas
Wilkie, Alexander
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Williamson, A.
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J. (York, W. R.)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, J. W. (Worcestersh. N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Wodehouse, Lord
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE AYES.—Mr. Joseph Pease and Master of Elibank.

NOES.

Anson, Sir William Reynell
Anstruther-Gray, Major
Ashley, W. W.
Balcarres, Lord
Baldwin, Stanley
Balfour, Rt Hn. A. J. (City Lond.)
Banbury, Sir Frederick George
Banner, John S. Harmood-
Baring, Capt. Hn. G (Winchester
Barrie, H. T. (Londonderry, N.)
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bottomley, Horatio
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Clive, Percy Archer
Courthope, G. Loyd
Craik, Sir Henry
Cross, Alexander
Du Cros, Arthur Philip
Duncan, Robert (Lanark, Govan
Faber, George Denison (York)
Fardell, Sir T. George
Fletcher, J. S.
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Gooch, Henry Cubitt (Peckham)
Gretton, John
Guinness, Hn. R. (Haggerston)
Guinness, W. E. (Bury S. Edm.)
Harris, Frederick Leverton
Harrison-Broadley, H. B.
Helmsley, Viscount
Hill, Sir Clement
Hills, J. W.
Houston, Robert Paterson
Hunt, Rowland
Kerry, Earl of
Kimber, Sir Henry
King, Sir Henry Seymour (Hull)
Lambton, Hon. Frederick Wm.
Lee, Arthur H. (Hants, Fareham
Lockwood, Rt. Hn. Lt.-Col. A. R.
Long, Col. Charles W. (Evesham
Long, Rt. Hn. Walter (Dublin, S)
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
MacCaw, William J. MacGeagh
Magnus, Sir Philip
Marks, H. H. (Kent)
Meysey-Thompson, E. C.
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
Nolan, Joseph
O'Brien, Patrick (Kilkenny)
Oddy, John James
Parkes, Ebenezer
Pease, Herbert Pike (Darlington
Percy, Earl
Rasch, Sir Frederic Carne
Ratcliff, Major R. F.
Rawlinson, John Frederick Peel
Renton, Leslie
Renwick, George
Ronaldshay, Earl of
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Smith, Abel H. (Hertford, East)
Stanier, Beville
Starkey, John R.
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Thomson, W. Mitchell-(Lanark)
Walker, Col. W. H. (Lancashire)
Walrond, Hon. Lionel
Warde, Col. C. E. (Kent, Mid)
White, Patrick (Meath, North)
Wilson, A. Stanley (York, E. R.)
Wortley, Rt. Hn. C. B. Stuart-
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE NOES—Sir Alexander Acland-Hood and Viscount Valentia.

Clause 38 disagreed to.

Clause 39:

Amendments proposed—

"In page 19, line 36, to leave out the words 'the secretary of a club.'"

"In page 19, line 39, to leave out the word 'the,' and to insert the word 'a.'"—(*Sir S. Evans.*)

Amendments agreed to.

Amendment proposed—

"In page 19, line 39, after the word 'club,' to insert the words 'every member of the committee of the club.'"—(*Sir S. Evans.*)

Question put, "That the Amendment be made."

The Committee divided:—Ayes, 303; Noes 91. (Division List No. 336.)

AYES.

Acland, Francis Dyke
Adkins, W. Ryland D.
Agar-Robartes, Hon. T. C. R.
Agnew, George William
Ainsworth, John Stirling
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Asquith, Rt. Hn. Herbert Henry
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow, Sir John E. (Somerset)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beauchamp, E.
Beaumont, Hon. Hubert
Beck, A. Cecil
Benn, Sir J. Williams (Devonp'rt
Bennett, E. N.
Berridge, T. H. D.
Bethell, Sir J H. (Essex, Romf'rd
Bottomley, Horatio
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Bryce, J. Annan
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Cawley, Sir Frederick

Channing, Sir Francis Allston
Cheetham, John Frederick
Churchill, Rt. Hon. Winston S.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W
Compton-Rickett, Sir J.
Corbett, C H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crooks, William
Crosfield, A. H.
Crossley, William J.
Curran, Peter Francis
Dalmeny, Lord
Dalziel, James Henry
Davies, David (Montgomery Co)
Davies, M. Vaughan-(Cardigan)
Davies, Timothy (Fulham)
Davies, Sir W. Howell (Bristol, S)
Dewar, Arthur (Edinburgh, S.)
Dickinson, W.H. (St. Pancras, N
Dickson-Poynder, Sir John P.
Dobson, Thomas W.
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Edwards, Clement (Denbigh)
Erskine, David C.
Essex, R. W.
Esslemont, George Birnie
Evans, Sir Samuel T.
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Findlay, Alexander
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Glen-Coats, Sir T. (Renfrew, W.)
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Gulland, John W.
Gurdon, Rt. Hn Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardie, J. Keir (Merthyr Tydvil
Hardy, George A. (Suffolk)
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey, W. E. (Derbyshire, N. E.
Harwood, George
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J.M. (Aberdeen, W.)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hooper, A. G.
Hope, W. Bateman (Somerset, N
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Isaacs, Rufus Daniel
Jacoby, Sir James Alfred
Jardine, Sir J.
Johnson, John (Gateshead)
Jones, Sir D. Brynmor (Swansea)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lamont, Norman
Layland-Barratt, Sir Francis
Leese, Sir Joseph F. (Accrington
Lever, A. Levy (Essex, Harwich)
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, J.M. (Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah (Down, S.)
M'Callum, John M.
M'Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren, Sir C. B. (Leicester)
Mallet, Charles E.
Mansfield, H. Rendall (Lincoln)
Marks, G. Croydon (Launceston)
Marnham, F. J.
Mason, A. E. W. (Coventry)
Massie, J.
Masterman, C. F. G.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morton, Alpheus Cleophas
Murray, Capt. Hn A. C. (Kincard.
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
O'Grady, J.
Parker, James (Halifax)
Partington, Oswald
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Perks, Sir Robert William
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pirie, Duncan V.
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Price, C.E. (Edinburgh, Central
Priestley, Arthur (Grantham)
Priestley, W.E.B. (Bradford, E.)
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Rees, J. D.
Richards, Thomas (W. Monm'th
Richards, T.F. (Wolverh'mpt'n
Richardson, A.
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, Sir J. H. (Denbighs.)
Robertson, Sir G. Scott (Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rose, Charles Day
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann, Sir C.E. (Manchester)
Scott, A.H. (Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Colonel
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick, B.)
Sherwell, Arthur James
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrrook
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Albert (Staffs, N.W.)
Stanley, Hn. A. Lyulph (Chesh.
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Summerbell, T.
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Tennant, Sir Edward (Salisbury
Tennant, H. J. (Berwickshire)
Thomas, Abel (Carmarthen, E.)

Thomas, Sir A. (Glamorgan,E.)
Thomasson, Franklin
Thorne,G.R. (Wolverhampton)
Thorne, William (West Ham)
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Walters, John Tudor
Walton, Joseph
Ward,W. Dudley (South'mpt'n
Wason,Rt Hn.E.(Clackmannan
Wason,John Cathcart (Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White,J.Dundas(Dumbart'nsh.
White, Luke (York, E. R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker,Rt Hn.SirThomasP.
Wiles, Thomas
Wilkie, Alexander
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Williamson, A.
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson, J.H. (Middlesbrough)
Wilson, J.W. (Worcestersh. N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Wodehouse, Lord
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood,Rt Hn.SirAlex.F.
Anson, Sir William Reynell
Anstruther-Gray, Major
Ashley, W. W.
Balcarres, Lord
Baldwin, Stanley
Balfour,Rt Hn.A.J.(CityLond.)
Banbury, Sir Frederick George
Banner, John S. Harmood-
Baring,Capt.Hn.G (Winchester
Barlow, Percy (Bedford)
Barrie, H. T. (Londonderry,N.)
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Clive, Percy Archer
Courthope, G. Loyd
Craik, Sir Henry
Cross, Alexander
Du Cros, Arthur Philip
Duncan, Robert(Lanark,Govan
Faber, George Denison (York)
Fardell, Sir T. George
Fletcher, J. S.
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Gooch,Henry Cubitt(Peckham)
Gretton, John
Guinness, Hon. R.(Haggerston)
Guinness, W.E. (Bury S. Edm.)
Harris, Frederick Leverton
Harrison-Broadley, H. B.
Hadges, A. Paget
Helmsley, Viscount
Hill, Sir Clement
Hills, J. W.
Houston, Bobert Paterson
Hunt, Rowland
Kerry, Earl of
Kimber, Sir Henry
King,Sir Henry Seymour(Hull)
Lambton, Hon. Frederick Wm.
Lee,Arthur H.(Hants,Fareham
Lockwood, Rt.Hn.Lt.-Col.A.R.
Long, Col. CharlesW.(Evesham
Long,Rt.Hn.Walter (Dublin,S)
Lowe, Sir Francis William
Lyttelton, Rt Hon. Alfred
MacCaw, William J. MacGeagh
Magnus, Sir Philip
Marks, H. H. (Kent)
Meysey-Thompson, E. C.
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm.G. (Petersfield)
Nield, Herbert
Oddy, John James
Pease,Herbert Pike(Darlington
Percy, Earl
Rasch, Sir Frederic Carne
Ratcliff, Major R. F.
Rawlinson,John Frederick Peel
Renton, Leslie
Renwick, George
Ronaldshay, Earl of
Scott, Sir S. (Marylebone, W.)
Smith, Abel H. (Hertford,East)
Stanier, Beville
Starkey, John R.
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Talbot,RtHn. J.G.(Oxf'd Univ.
Thomson, W.Mitchell-(Lanark)
Valentia, Viscount
Walker, Col.W.H. (Lancashire)
Walrond, Hon. Lionel
Warde, Col. C. E. (Kent, Mid)
White, Patrick (Meath, North)
Wilson, A. Stanley (York, E.R
Wortley, Rt. Hon. C.B. Stuart-
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE NOES—Mr. Cave and Mr. Salter.

Amendments proposed —

"In page 19, line 40, to leave out the word 'twenty,' and to insert the words 'five pound in the case of a first offence, and in the case of a second or any subsequent offence whether in connection with the same or any other club ten.'"

"In page 20, line 5, to leave out the word 'secretary, and to insert the words 'any person.'"

"In page 20, line 5, at end, to add the words '(2) Section 25 of the Licensing Act, 1902, shall be read as if the names of the committee were included amongst the particulars to be registered mentioned in subsection (2) of that section.'"

"In page 20, line 5, at end, to add the words 'Provided that the aggregate amount of the fines imposed for the same offence under this section shall not exceed twenty pounds.'"—(*Sir S. Evans.*)

Amendments agreed to.

Question put, "That the clause, as amended, stand part of the Bill."

The Committee divided:—Ayes, 299; Noes, 88. (Division List No. 337.)

AYES.

Acland, Francis Dyke
Adkins, W. Ryland D.
Agar-Robartes, Hon. T. C. R.
Agnew, George William
Ainsworth, John Stirling
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Asquith,Rt.Hn. Herbert Henry

Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow, Sir John E. (Somerset)
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beauchamp, E.
Beaumont, Hon. Hubert
Beck, A. Cecil
Benn, Sir J. Williams (Devonp'rt
Bennett, E. N.
Berridge, T. H. D.
Bethell, Sir J. H. (Essex, Romf'd)
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Bryce, J. Annan
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Byles, William Pollard
Carr-Gomm, H. W.
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cheetham, John Frederick
Churchill, Rt. Hon. Winston S.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W
Compton-Rickett, Sir J.
Corbett, C H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crooks, William
Crosfield, A. H.
Crossley, William J.
Curran, Peter Francis
Dalmeny, Lord
Dalziel, James Henry
Davies, David (Montgomery Co.
Davies, M. Vaughan-(Cardigan)
Davies, Timothy (Fulham)
Davies, Sir W. Howell (Bristol, S.)
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras, N
Dickson-Poynder, Sir John P.
Dobson, Thomas W.
Duncan, C. (Barrow-in-Furness)
Duncan, J. H. (York, Otley)
Edwards, Clement (Denbigh)
Erskine, David C.
Essex, R. W.
Esslemont, George Birnie
Evans, Sir Samuel T
Fenwick, Charles
Ferens, T. R.
Findlay, Alexander
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Glen-Coats, Sir T. (Renfrew, W.
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Gulland, John W.
Gurdon, Rt Hn. Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardie, J. Keir (Merthyr Tydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Warvey, W. E. (Derbyshire, N. E
Harwood, George
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hedges, A. Paget
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hooper, A. G.
Hope, W. Bateman (Somerset, N.
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Isaacs, Rufus Daniel
Jacoby, Sir James Alfred
Jardine, Sir J.
Johnson, John (Gateshead)
Jones, Sir D. Brynmor (Swansea)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire)
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lamont, Norman
Layland-Barratt, Sir Francis
Leese, Sir Joseph F. (Accrington)
Lever, A. Levy (Essex, Harwich
Levy, Sir Maurice
Lloyd-George, Rt. Hon. David
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk B'ghs)
Maclean, Donald
Macnamara, Dr. Thomas J.
M'Callum, John M.
M'Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren, Sir C. B. (Leicester)
Mallet, Charles E.
Mansfield, H. Rendall (Lincoln)
Marks, G. Croydon (Launceston)
Marnham, F. J.
Mason, A. E. W. (Coventry)
Massie, J.
Masterman, C. F. G.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morton, Alpheus Cleophas
Murray, Capt. Hn. A. C. (Kincard.
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
O'Grady, J.
Parker, James (Halifax)
Partington, Oswald
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Perks, Sir Robert William
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pirie, Duncan V.
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Price, C. E. (Edinb'gh, Central)
Priestley, Arthur (Grantham)
Priestley, W. E. B. (Bradford, E.)
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro')
Rees, J. D.
Richards, Thomas (W. Monm'th)
Richards, T. F. (Wolverh'mpt'n)
Richardson, A.
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, Sir J. H. (Denbighs.)
Robertson, Sir G. Scott (Bradf'd)
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rose, Charles Day
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)

Schwann, Sir C.E. (Manchester)
Scott, A.H. (Ashton-under-Lyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Colonel
Shackleton, David James
Sherwell, Arthur James
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Albert (Staffs, N.W.)
Stanley, Hn. A. Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Summerbell, T.
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Tennant, Sir Edward (Salisbury)
Tennant, H. J. (Berwickshire)
Thomas, Abel (Carmarthen, E.)
Thomas, Sir A. (Glamorgan, E.)
Thomasson, Franklin
Thorne, G.R. (Wolverhampton)
Thorne, William (West Ham)
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Walters, John Tudor
Walton, Joseph
Ward, W. Dudley (Southampt'n
Wason, Rt Hn. E. (Clackmannan
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. Dundas (Dumbart'nsh.
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker, Rt. Hn. Sir Thomas P.
Wiles, Thomas
Wilkie, Alexander
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Williamson, A.
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, J. W. (Worcestersh. N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Wodehouse, Lord
Wood, T. M'Kinnon
Yoxall, James Henry

Tellers for the Ayes—Mr. Joseph Pease and Mr. Herbert Lewis.

NOES.

Anson, Sir William Reynell
Anstruther-Gray, Major
Ashley, W. W.
Balcarres, Lord
Baldwin, Stanley
Balfour, Rt. Hn. A.J. (City Lond)
Banbury, Sir Frederick George
Banner, John S. Harmood-
Baring, Capt. Hn G. (Winchester)
Barrie, H. T. (Londonderry, N.)
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bottomley, Horatio
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Clive, Percy Archer
Courthope, G. Loyd
Craik, Sir Henry
Cross, Alexander
Du Cros, Arthur Philip
Duncan, Robert (Lanark, Govan
Faber, George Denison (York)
Fardell, Sir T. George
Fletcher, J. S.
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Gooch, Henry Cubitt (Peckham)
Gretton, John
Guinness, Hon. R. (Haggerston)
Guinness, W.E. (Bury S. Edm.)
Harris, Frederick Leverton
Harrison-Broadley, H. B.
Helmsley, Viscount
Hill, Sir Clement
Hills, J. W.
Houston, Robert Paterson
Hunt, Rowland
Kerry, Earl of
Kimber, Sir Henry
King, Sir Henry Seymour (Hull)
Lambton, Hon. Frederick Wm.
Lee, Arthur H. (Hants, Fareham
Lockwood, Rt. Hn. Lt.-Col. A.R.
Long, Col. Charles W. (Evesham
Long, Rt. Hn. Walter (Dublin, S.
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
MacCaw, William J. Macgeagh
Magnus, Sir Philip
Marks, H. H. (Kent)
Meysey-Thompson, E. C.
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
Oddy, John James
Pease, Herbert Pike (Darlington
Rasch, Sir Frederic Carne
Ratcliff, Major R. F.
Rawlinson, John Frederick Peel
Renton, Leslie
Renwick, George
Ronaldshay, Earl of
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Smith, Abel H. (Hertford, East)
Stanier, Beville
Starkey, John R.
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Talbot, Rt. Hn. J.G. (Oxf'd Univ.
Thomson, W. Mitchell- (Lanark)
Walker, Col. W.H. (Lancashire)
Walrond, Hon. Lionel
Warde, Col. C. E. (Kent, Mid)
Wilson, A. Stanley (York, E.R.)
Wortley, Rt. Hon. C.B. Stuart-
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

Tellers for the Noes—Sir Alexander Acland-Hood and Viscount Valentia.

Clause 10:

Amendment proposed—

"In page 20, line 20, at end, to add the words '(2) During the pendency of any appeal against an order made under Section 28 of the Licensing Act, 1902, directing a club to be struck off the register, the operation of the order shall be suspended.'"—(*Sir S. Evans.*)

Mr. STANLEY WILSON: On a point of order, may I ask you what the word "pendency" means?

*The CHAIRMAN: My duties as Chairman are sufficiently onerous without being asked to define words.

Amendment agreed to.

Question put, "That the Clause, as amended, stand part of the Bill."

The Committee divided:—Ayes, 297; Noes, 84. (Division List No. 338.)

AYES.

Acland, Francis Dyke
Adkins, W. Ryland D.
Agar-Robartes, Hon. T. C. R.
Agnew, George William
Ainsworth, John Stirling
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Asquith, Rt. Hon. Herbert Henry
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.
Balfour, Robert (Lanark)
Baring, Godfrey, (Isle of Wight
Barlow, Sir John E. (Somerset)
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beauchamp, E.
Beaumont, Hon. Hubert
Beck, A. Cecil
Benn, Sir J. Williams (Devonp'rt
Bennett, E. N.
Berridge, T. H. D.
Bethell, Sir J. H. (Essex, Romf'rd
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Bryce, J. Annan
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Byles, William Pollard
Carr-Gomm, H. W.
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cheetham, John Frederick
Churchill, Rt. Hon. Winston S.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras W.
Compton-Rickett, Sir J.
Corbett, C. H. (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crooks, William
Crosfield, A. H.
Crossley, William J.
Curran, Peter Francis
Dalmeny, Lord
Dalziel, James Henry
Davies, David (Montgomery Co
Davies, M. Vaughan- (Cardigan)
Davies, Timothy (Fulham)
Davies, Sir W. Howell (Bristol, S.
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras, N.
Dickson-Poynder, Sir John P.
Dobson, Thomas W.
Duncan, C. (Barrow-in-Furness)
Duncan, J. H. (York, Otley)
Edwards, Clement (Denbigh)
Erskine, David C.
Essex, R. W.
Esslemont, George Birnie
Evans, Sir Samuel T.
Fenwick, Charles
Ferens, T. R.
Findlay, Alexander
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Glen-Coats, Sir T. (Renfrew, W.
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Gulland, John W.
Gurdon, Rt Hn. Sir W. Brampt'n
Haldane, Rt. Hon. Richard B.
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardie, J. Keir (Merthyr Tydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harvey, W. E. (Derbyshire, N.E.
Harwood, George
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hedges, A. Paget
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hooper, A. G.
Hope, W. Bateman (Somerset, N
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Isaacs, Rufus Daniel
Jacoby, Sir James Alfred
Jardine, Sir J.
Johnson, John (Gateshead)
Jones, Sir D. Brynmor (Swansea)
Jones, Leif (Appleby)
Jones, William (Carnarvonsh.)
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lamont, Norman
Layland-Barratt, Sir Francis
Leese, Sir Joseph F. (Accrington)
Lever, A. Levy (Essex, Harwich)
Levy, Sir Maurice
Lloyd-George, Rt. Hon. David
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah (Down, S.
M'Callum, John M.
M'Crae, Sir George
M'Kenna, Rt. Hon. Reginald
M'Laren, Sir C. B. (Leicester)
Mallet, Charles E.
Mansfield, H. Rendall (Lincoln)
Marks, G. Croydon (Launceston)
Marnham, F. J.
Mason, A. E. W. (Coventry)
Massie, J.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morton, Alpheus Cleophas
Murray, Capt. Hn A. C. (Kincard.
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
O'Grady, J.
Parker, James (Halifax)
Partington, Oswald
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Perks, Sir Robert William
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pirie, Duncan V.
Pollard, Dr.
Ponsonby, Arthur A. W. H.

Price, C. E. (Edinb'gh, Central)
Priestley, Arthur (Grantham)
Priestley, W. E. B. (Bradford, E.)
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Rees, J. D.
Richards, Thomas (W. Monm'th
Richards, T. F. (Wolverh'mpt'n
Richardson, A.
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, Sir J. H. (Denbighs.)
Robertson, Sir G. Scott (Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rose, Charles Day
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann, Sir C. E. (Manchester)
Scott, A. H. (Ashton-under-Lyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Colonel
Shaw, Rt. Hon. T. (Hawick, B.)
Sherwell, Arthur James
Shipman, Dr. John G.
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Albert (Staffs, N.W.)
Stanley, Hn. A. Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Summerbell, T.
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Tennant, Sir Edward (Salisbury
Tennant, H. J. (Berwickshire)
Thomas, Abel (Carmarthen, E.)
Thomas, Sir A. (Glamorgan, E.)
Thomasson, Franklin
Thorne, G. R. (Wolverhampton
Thorne, William (West Ham)
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Walters, John Tudor
Walton, Joseph
Ward, W. Dudley (Southampt'n
Wason, Rt. Hn. E (Clackmannan
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. Dundas (Dumbart'nsh.
White, Luke (York, E. R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker, Rt. Hn. Sir Thomas P.
Wiles, Thomas
Wilkie, Alexander
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Williamson, A.
Wilson, Hon. G. G. (Hull, W.)
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, J. W. (Worcestersh. N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Wodehouse, Lord
Wood, T. M'Kinnon

TELLERS FOR THE AYES—Mr. Joseph Pease and Mr. Herbert Lewis.

NOES.

Acland-Hood, Rt Hn. Sir Alex F
Anson, Sir William Reynell
Anstruther-Gray, Major
Ashley, W. W.
Baldwin, Stanley
Balfour, Rt Hn. A. J. (City Lond.
Banbury, Sir Frederick George
Banner, John S. Harmood-
Baring, Capt. Hn. G (Winchester
Barrie, H. T. (Londonderry, N.)
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bottomley, Horatio
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Clive, Percy Archer
Courthope, G. Loyd
Craik, Sir Henry
Cross, Alexander
Du Cros, Arthur Philip
Duncan, Robert (Lanark, Govan
Faber, George Denison (York)
Fletcher, J. S.
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Gooch, Henry Cubitt (Peckham)
Gretton, John
Guinness, Hon. R. (Haggerston)
Guinness, W. E. (Bury S. Edm.
Harris, Frederick Leverton
Harrison-Broadley, H. B.
Helmsley, Viscount
Hill, Sir Clement
Hills, J. W.
Houston, Robert Paterson
Hunt, Rowland
Kerry, Earl of
Kimber, Sir Henry
King, Sir Henry Seymour (Hull)
Lambton, Hon. Frederick Wm.
Lee, Arthur H. (Hants, Fareham
Lockwood, Rt. Hn. Lt.-Col. A. R.
Long, Col. Charles W. (Evesham
Long, Rt. Hn. Walter (Dublin, S.
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
MacCaw, William J. MacGeagh
Magnus, Sir Philip
Marks, H. H. (Kent)
Meysey-Thompson, E. C.
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
Pease, Herbert Pike (Darlington
Ratcliff, Major R. F.
Rawlinson, John Frederick Peel
Renton, Leslie
Renwick, George
Ronaldshay, Earl of
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Smith, Abel H. (Hertford, East)
Stanier, Beville
Starkey, John R.
Talbot, Lord E. (Chichester)
Talbot, Rt. Hn. J. G. (Oxf'd Univ.
Thomson, W. Mitchell-(Lanark
Walker, Col. W. H. (Lancashire)
Walrond, Hon. Lionel
Warde, Col. C. E. (Kent, Mid)
Wilson, A. Stanley (York, E.R.)
Wortley, Rt. Hon. C. B. Stuart-
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE NOES—Viscount Valentia and Lord Balcarres.

Committee report progress; to sit again To-morrow.

Whereupon Mr. SPEAKER, pursuant to the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at twenty-eight minutes before Twelve o'clock.

HOUSE OF COMMONS.

Friday, 6th November, 1908.

The House met at Twelve noon of the Clock.

PRIVATE BILL BUSINESS.

PRIVATE BILLS (GROUP M).

Mr. LUKE WHITE reported from the Committee on Group M of Private Bills; That, for the convenience of parties, the Committee had adjourned till Tuesday, 10th November, at Eleven of the Clock.

Report to lie upon the Table.

PETITIONS.

LICENSING BILL.

Petitions in favour: From Amlwch; Blaenllechan; Cottingham; and Llanfairpwllgwyngyll; to lie upon the Table.

WOMEN'S ENFRANCHISEMENT BILL.

Petition from Pontypridd, in favour; to lie upon the Table.

RETURNS, REPORTS, ETC.

TRADE REPORTS (ANNUAL SERIES).

Copy presented, of Diplomatic and Consular Reports, Annual Series, No. 4162 [by Command]; to lie upon the Table.

CENSUS OF PRODUCTION ACT, 1906.

Copies presented, of Rules made by the Board of Trade under the Act [by Act]; to lie upon the Table.

COLONIAL IMPORT DUTIES, 1908.

Copy presented, of Return relating to the Rates of Import Duties levied upon the Principal and other Articles imported into the British Colonies, Possessions, and Protectorates [by Command]; to lie upon the Table.

ALIENS ACT, 1905.

Copy presented, of Return of Alien Passengers brought to the United Kingdom from Ports in Europe or within the Mediterranean Sea during the three months ending 30th September, 1908, together with the number of Expulsion Orders made during that period requiring Aliens to leave the United Kingdom [by Command]; to lie upon the Table.

COMPENSATION FOR INDUSTRIAL DISEASES.

Copy presented, of Supplementary Report of the Departmental Committee on Compensation for Industrial Diseases; Report, Minutes of Evidence, and Appendix [by Command]; to lie upon the Table.

UNIVERSITIES OF OXFORD AND CAMBRIDGE ACT, 1877 (OXFORD).

Copy presented, of Statute made by the Governing Body of All Souls College, Oxford, on 4th July, 1908, and sealed on 11th July, 1908, altering and amending Statute III., Clause 7, of the Statutes of the College [by Act]; to lie upon the Table, and to be printed. [No. 318.]

COLONIAL REPORTS (ANNUAL).

Copy presented, of Report, No. 582 (Straits Settlements, Annual Report for 1907) [by Command]; to lie upon the Table.

RIFLE ASSOCIATIONS (COLONIES) (GRANTS).

Return presented, relative thereto [Address 20th May, 1908; *Mr. Courthope*]; to lie upon the Table.

COLONIAL STATISTICS.

Copy presented, of Statistical Tables relating to British Colonies, Possessions, and Protectorates. Part XXXI., for the year 1906 [by Command]; to lie upon the Table.

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Housing, Town Planning, etc., Bill.

MR. MUNRO FERGUSON (Leith Burghs): To ask the Secretary for Scotland whether the Housing and Town Planning, etc., Bill was drafted on the joint responsibility of the English and Scottish Local Government Departments, or whether under the sole auspices of the English authority.

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

(*Answered by Mr. Sinclair.*) The Local Government Board for Scotland was fully consulted in regard to the drafting of the Bill.

Staffing of Scottish Government Offices.

MR. MUNRO FERGUSON: To ask the Secretary for Scotland whether there is any sufficient staff at the Scottish Local Government Board to deal seriously with the inception, or application, of large projects affecting Scottish local administration, such as the Housing and Town Planning Bill; and whether he will now consider the propriety of holding a departmental inquiry into the staffing and working of the Local Government and other Scottish Boards.

(*Answered by Mr. Sinclair.*) Existing staff is fully occupied, but provision for administration of Housing Bill and any other measures will be made if necessary by extension of staff or otherwise, as may be arranged by the Treasury. I have no intention of appointing a Departmental Committee to hold an inquiry in the sense proposed by my hon. friend.

Consular Appointments in British Colonies.

MR. DU CROS (Hastings): To ask the Under-Secretary of State for the Colonies what steps have been taken in response to the representations of the Colonial Premiers as to the appointment of Consuls and Vice-Consuls in the important towns of New Zealand and other British Colonies; and whether he will furnish a list of all such appointments made during the past eighteen months.

(*Answered by Mr. Churchill.*) The following is the list of trade commissioners and trade correspondents of the Commercial Intelligence Branch of the Board of Trade in the Dominions and self-governing Colonies:—

Canada.

His Majesty's Trade Commissioner in Canada: Mr. R. Grigg (temporary address), c/o Department of Trade and Commerce, Ottawa, Canada. List of correspondents in Canada of the Commercial Intelligence Branch of His Majesty's Board of Trade: British Columbia, Mr. W. J. Davidson, Vancouver, Mr. J. J. Shallcross, Victoria; Manitoba, Mr. J. Appleton, Winnipeg; New Brunswick, Mr. W. E. Anderson, St. John; Quebec, Mr. G. B. Ramsey, Quebec. The appointment of correspondents at Ottawa, Montreal, Toronto, and Halifax has been deferred pending the Report of His Majesty's Trade Commissioner on the subject. The Board of Trade do not propose to appoint a correspondent at the town in which His Majesty's Trade Commissioner has his permanent headquarters.

Newfoundland.

Correspondent in Newfoundland of the Commercial Intelligence Branch of His Majesty's Board of Trade: Mr. H. W. le Mesurier, St. John's.

South Africa.

His Majesty's Trade Commissioner in South Africa: Mr. R. Sothern Holland, Cape Town. List of correspondents in South Africa of the Commercial Intelligence Branch of His Majesty's Board of Trade: Cape Colony, Mr. E. J. Cattell, Cape Town, Mr. J. S. Neave, Port Elizabeth; Natal, Mr. A. D. C. Agnew, Durban; Transvaal, Mr. Charles A. C. Tremeer, D.S.O., Johannesburg.

In addition to the above, the following gentlemen also act in an honorary capacity as correspondents of the Commercial Intelligence Branch: Natal, the Collector of Customs, Durban; Transvaal, Mr. J. W. Honey, C.M.G., Director of Customs, Pretoria; Orange River Colony, the Collector of Customs, Bloemfontein.

Australia.

His Majesty's Trade Commissioner in Australia: Mr. C. Hamilton Wickes, (temporary address), c/o Department of Trade and Customs, Melbourne, Australia. List of correspondents in Australia of the Commercial Intelligence Branch of His Majesty's Board of Trade: Victoria, His Majesty's Trade Commissioner will act as correspondent in Victoria; New South Wales, Mr. J. Currie Elles, Sydney; Queensland, Mr. M. Finucan, Brisbane; South Australia, Mr. John Creswell, Adelaide; West Australia, Mr. J. F. Conigrave, Perth; Tasmania, Mr. A. H. Ashbolt, Hobart.

In addition to the above the following gentlemen also act in an honorary capacity as correspondents of the Commercial Intelligence Branch: Commonwealth, the Comptroller General of Trade and Customs, Melbourne; Victoria, the Secretary to the Premier of Victoria, Melbourne.

New Zealand.

His Majesty's Trade Commissioner in New Zealand: Mr. G. H. F Rolleston, Wellington. List of correspondents in New Zealand of the Commercial Intelligence Branch of His Majesty's Board of Trade: Wellington, His Majesty's Trade Commissioner will act as correspondent in Wellington; Dunedin, Mr. Peter Barr, Dunedin; Auckland, Mr. A. J. Denniston, Auckland. In addition to the above the Secretary for Industries and Commerce, Wellington, also acts in an honorary capacity as correspondent of the Commercial Intelligence Branch of the Board of Trade.

Indian Police Pensions.

MR. GIBBS (Bristol, W.): To ask the Under-Secretary of State for India if officers in the Indian police have to serve five years longer for pensions than officers in the same service in England, and do the Government intend to take any action with regard to the proposal of the Police Commission that twenty-five years service shall be the period to qualify for full pension in the Indian police; and whether other services in India are already enjoying this concession.

(*Answered by Mr. Buchanan.*) In the absence of medical certificate police officers in India are at liberty to retire on pension after thirty years service, or on attaining the age of fifty-five, whichever is the earlier. In England police officers are as a rule eligible for retirement on pension after twenty-five years service. As the Secretary of State said in his Answer to the hon. Member for Hull (Central Division), on 31st July, 1907, the recommendation of the Indian Police Commission on this subject was fully considered by the Government of India, who decided to propose no alteration in the existing rules. The Secretary of State does not propose to suggest to them that the question should be reopened. In certain Departments in India retirement on pension is permitted after a shorter period of service than in the police.

Building of H.M.S. "Defence."

MR. BELLAIRS (Lynn Regis): To ask the First Lord of the Admiralty on what date were the first consignments received for building the large armoured vessel H.M.S. "Defence" which was laid down on 22nd February, 1905, in one of the royal dockyards; and, in view of the fact that nearly four years has elapsed since the construction of this vessel was commenced and five years since she was designed, whether he can now state when all workmen will be out of her, and the ship take her place in one of the commissioned fleets.

(*Answered by Mr. McKenna.*) The first consignments of material for the "Defence" were received on 16th November, 1904, but material suitable for preparing to build was not received until 3rd December, 1904. It is expected that the ship will be completed by the 31st December, but this date depends upon the completion of certain contract work in connection with her boilers.

Great Britain, Germany and the United States—Exports and Imports.

MR. DUNDAS WHITE (Dumbartonshire): To ask the President of the Board of Trade if he can say as regards the United Kingdom, the United States, and Germany, respectively, what were the exports of manufactured goods, the total exports and the total imports for the years 1900 and 1907, respectively; what was the increase in each of these classes for each of these countries during the intervening time; what was the estimated population of each of these countries in the year 1907; and what, on that population basis, was the increase per head for each of these classes in each of these countries during that intervening time.

(*Answered by Mr. Churchill.*) The following statement gives the information asked for by my hon. Friend, except that the imports and exports per head of population in 1900 have been given on the basis of the estimated population of that year and not, as suggested in the Question, on the basis of the population in 1907.

		United Kingdom.	United States.*	Germany.
		Million pounds.	Million pounds.	Million pounds.
Exports of "Manufactured Articles" (Domestic Produce) - - - -	1900	228·3	97·0	146·6
	1907	342·0	156·4	236·4
Increase in 1907 over 1900 -		113·7	59·4	89·8
Exports of "All Articles" (Domestic Produce) -	1900	291·2	304·3	226·7
	1907	426·0	382·2	336·8
Increase in 1907 over 1900 -		134·8	77·9	110·1
Imports of "All Articles" (for Home Consumption)	1900	459·9	168·3	283·5
	1907	553·9	243·4	430·0
Increase in 1907 over 1900 -		94·0	75·1	146·5
Estimated Population in -	1900	41,155,000†	76,975,000‡	56,269,000†
	1907	44,099,000†	86,617,000‡	62,332,000†
		£ s. d.	£ s. d.	£ s. d.
Exports of "Manufactured Articles" (Domestic Produce) per head - -	1900	5 10 11	1 5 2	2 12 1
	1907	7 15 1	1 16 1	3 15 10
Increase in 1907 over 1900 -		2 4 2	10 11	1 3 9
Exports of "All Articles" (Domestic Produce) per head - - - -	1900	7 1 6	3 19 1	4 0 7
	1907	9 13 2	4 8 3	5 8 1
Increase of 1907 over 1900 -		2 11 8	9 2	1 7 6
Imports of "All Articles" (for Home Consumption) per head - - - -	1900	11 3 6	2 3 9	5 0 9
	1907	12 11 2	2 16 2	6 18 0
Increase in 1907 over 1900 -		1 7 8	12 5	1 17 3

* For years beginning 1st July. † Estimated population at middle of year.
‡ Estimated population at end of calendar year.

Old Age Pensions—Calculation of Applicants' Means.

MR. MORTON (Sutherland): To ask the President of the Local Government Board whether small amounts contributed weekly by children to a parent must count as fixed income under Section 4, subsection (1) (*a*), of the Old-Age Pensions Act, or whether such contributions can be counted as voluntary gifts.

(*Answered by Mr. Lloyd-George.*) The subsection referred to in the Question contains no reference to "fixed income," and, whether or not such contributions as those described by my hon. Friend can properly be counted as voluntary gifts, I see no warrant in the provisions of the section for excluding them from the calculation of the recipient's means for the purposes of the Act.

Relief of Distress in Belfast.

MR. GEORGE CLARK (Belfast, N.): To ask the President of the Local Government Board whether a sum of £3,000 is to be given for the relief of unemployment in Dublin; and whether, in view of the distress at present existing in Belfast, he is prepared to recommend that a similar amount should be given for the relief of unemployment in that city.

(*Answered by Mr. Birrell.*) The Answer to the first part of this Question is in the affirmative. A grant of £1,000 has already been made to Belfast, and when this sum has been expended, if the distress committee consider they have a case for a further grant, it is open to them to make representations to the Local Government Board on the subject.

Contributions by Companies to Political Organisations.

SIR W. J. COLLINS (St. Pancras, W.): To ask the President of the Board of Trade what steps have been taken, or will be taken, with a view to secure that railway and other statutory companies shall not contribute out of their funds to political organisations with a view to influencing elections; and whether any changes have been made in the schedules of accounts rendered by such companies to the Board of Trade whereby disclosure shall be made of any such contributions.

(*Answered by Mr. Churchill.*) I would refer my hon. friend to the Answer which I gave on 22nd October to the Question asked on this subject by the noble Lord the Member for Marylebone. A Return giving the particulars mentioned in that Answer was laid upon the Table of the House on the 2nd instant and ordered to be printed.

London Pension Committee.

LORD R. CECIL (Marylebone, E.): To ask Mr. Chancellor of the Exchequer under what statutory provision a pension committee in London has been appointed by the county council instead of pension committees by the Metropolitan borough Councils.

(*Answered by Mr. Lloyd-George.*) Under the provisions of 8 Edw. VII., c. 40, Section 8 (1), I am advised that the term "borough" in that subsection does not include a "Metropolitan borough" as created by the London Government Act.

Employment of Quartermasters of the late Royal Engineers Volunteer Corps.

MR. COURTHOPE (Sussex, Rye): To ask the Secretary of State for War, in view of the fact that a scheme for the employment of quartermasters of the late Royal Engineers Volunteer Corps is under consideration, whether he will issue instructions that the steps which are now being taken to transfer these officers to the unattached list shall be discontinued pending a decision.

(*Answered by Mr. Secretary Haldane.*) According to the existing establishments there is no provision for these officers in the Territorial Force. Any, therefore, who have expressed their desire to transfer their services can only be placed on the unattached list. Only one such application has as yet reached the War Office.

Messrs. John Stones and the Fair Wages Clause.

MR. W. T. WILSON (Lancashire, Westhoughton): To ask the Secretary of State for War if he is aware that the firms of John Stones, Limited, Ure Mills, Ulverston, and John Stones, of Rosside Works, Ulverston, sliding partition and revolving shutter, etc., manufacturers, who advertise themselves as contractors to the War Department, only pay the joiners in their employ from 6¼d. to 7¼d. per hour, whilst the current rate of wage in the district, *vide* Board of Trade Returns, is 8d. per hour; whether he will take steps to induce those firms to pay the current rate of wage; failing which, whether he will remove them from the list of firms invited to tender for work in his Department.

(*Answered by Mr. Secretary Haldane.*) Mr. John Stones is not on the War Office list, but Messrs. John Stones, of Ure Mills, are noted on the list, but do not at present hold any War Office contract. If they should obtain any contract it would contain the usual wages clauses and any allegation of their infringement would be at once investigated.

Territorial Officers' Decoration.

Mr. TILLETT (Norwich): To ask the Secretary of State for War whether he can see his way to amend the regulations relating to the award of the Territorial efficiency medals, so as to enable an officer who has served some portion of his qualifying service in the ranks to obtain such medal.

(*Answered by Mr. Secretary Haldane.*) A Territorial officer is awarded a decoration for long and meritorious service, and service in the ranks reckons towards the qualifying service at the rate of half the time so served. The grant of this decoration is published in Army Order 268 of this month.

Royal College of Surgeons.

Sir W. J. COLLINS: To ask the Prime Minister whether any further communication has been either received from the Royal College of Surgeons of England by the Lord President of the Council, or addressed to the College by the latter, since the late Prime Minister announced that the Council of the Royal College had declined to fall in with the suggestions of the Government and secure to the members of the College some voice in the management; and whether the Government propose to make any further representations to the Council of the College through the Lord President.

(*Answered by Mr. Asquith.*) No further communication has been received from the Royal College of Surgeons, and it is not proposed to repeat representations to which the Council are unwilling to give effect.

Civil Servants' Deferred Pay.

Mr. COURTHOPE: To ask the Prime Minister whether a Bill will be introduced during the present session to amend the Superannuation Acts in respect of Civil servants' deferred pay, as recommended by the Courtney Commission.

(*Answered by Mr. Asquith.*) I hope that the Bill may be introduced next session.

SELECTION (STANDING COMMITTEES).

Sir William Brampton Gurdon reported from the Committee of Selection: That they had discharged the following Member from Standing Committee A (in respect of the Criminal Appeal (Amendment) [Lords] and of the White Phosphorus Matches Prohibition Bills): Mr. William Harvey; and had appointed in substitution (in respect of the said Bills): Mr. Nicholls.

Sir William Brampton Gurdon further reported from the Committee: That they had discharged the following Member from Standing Committee C (in respect of the Coal Mines (Eight Hours) (No. 2) Bill): Mr. Solicitor-General; and had appointed in substitution (in respect of the said Bill): Mr. Solicitor-General for Scotland.

Reports to lie upon the Table.

LICENSING BILL—ALLOCATION OF TIME.

Sir EDWARD SASSOON (Hythe) asked the Prime Minister when he would be in a position to state the allocation of time to be given on the Report stage for the consideration of the various modifications in the Licensing Bill foreshadowed during the discussion in Committee, and of the clauses then passed wholly without discussion.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. ASQUITH, Fifeshire, E.): I answered that Question yesterday when I said that I hoped the Resolution would be taken on Wednesday.

LICENSING BILL.

Considered in Committee.

(In the Committee.)

[Mr. EMMOTT (Oldham) in the Chair.]

Clause 41:

THE SOLICITOR-GENERAL (Sir S. EVANS, Glamorganshire, Mid) moved an Amendment to leave out the words "specially authorised for the purpose by the chief constable." The clause, he said, dealt with the right of inspection of club premises, and a great deal of alarm—quite unnecessary alarm, he thought—had been created on the subject. Fantastic pictures had been drawn as to the entry at any time of the day or night into any part of club premises, even, it had been suggested, into the private rooms of the steward. It was a perfectly grotesque picture, and he was quite sure that no member of the Committee could place his hand over that region where his political conscience was supposed to dwell and say that he believed anything of the kind would happen. They had admitted all along that it was possible that clubs over which inspection ought to be had might spring up, and it had been said freely on the other side that one of the results of this legislation would be to create clubs of that kind. Some explanation was therefore necessary. The only inspection now possible was one by search warrant. It was necessary, in the interests of the clubs themselves, that there should be something less drastic than that for ordinary occasions. It did not frequently happen that circumstances justified extreme measures of that kind, and they had suggested here that a chief constable of police, and any inspector or superintendent of police, or officer of the like or superior rank, should have power at any time to enter and inspect the premises. It had been said that those words did not put sufficient restrictions upon the power of entry, and a suggestion had been made in various quarters that there should be inspection by some lay inspector, by some official under the Home Office, or Excise officer, or some such person. He thought it would be found in practice that even if it were feasible to appoint such inspectors, the clubs would have more reason to complain of undue interference than they would under the words of the clause. First of all, they could not undertake to appoint inspectors of that sort, nor to place the duty of inspecting the clubs upon the inspectors who now existed. He was astonished the other day to see it suggested by those interested in workmen's clubs that a health inspector or other inspector of a municipal authority should be allowed to go into the club. He should have thought that to invite an inspector of nuisances to go into a club would be very much worse than to invite an inspector of the police. In order further to meet any reasonable fears which might exist in the minds of some Members, he had given notice of an Amendment which followed the one he was now moving, to the effect that the officer before he inspected must have obtained a written authority for the purpose from a justice of the peace having jurisdiction in the place. He thought that would be ample security that the officers would not of their own free will and without any cause at all go into the premises. He did not think this inspection would be frequent, and the existing power to inspect would be found good in itself and would be a deterrent in the matter of bogus clubs. The inspection of the police would not be anything like that of a lay inspector, who might say "I have been appointed to this job, and I must go to work," and he might be constantly interfering with the convenience of members. Inasmuch as some inspection was necessary, he thought the Government had carefully restricted the inspection to the persons named in the clause.

Amendment proposed—

"In page 20, line 23, to leave out the words 'specially authorised for the purpose by the chief constable.'"—(*Sir S. Evans.*)

MR. ARTHUR HENDERSON (Durham, Barnard Castle) thought the

Solicitor-General had not quite done justice to those who had been inclined to support the Amendments on the Paper setting up lay inspectors. He did not oppose the Amendment, because those responsible for the Amendments setting up lay inspectors had not moved them. But it ought to be stated to the Committee on their behalf that they had something more than the mere inspection of premises in view. They were exceedingly anxious to keep the tone and standard of club life at as high a level as possible. They thought that if they could get a lay inspector he would not merely walk through the rooms constituting the club, and they had put on the Paper a further Amendment empowering him to inspect all the books and documents, in order that they might ascertain exactly who were the shareholders in any building. They were further anxious to find out whether the club was in some sense "tied," or under an obligation in any form to a single brewery company. Surely, taking these Amendments as a whole, they were doing that which would have assisted in maintaining as high a standard as possible of club life. As to the point of a lay inspector constantly being "on the job," it did not follow that he would have nothing else to do than looking after clubs. They had had an idea it might have been an excise officer, but if the Solicitor-General thought an excise officer had already too much on his hands, that was a fair answer to their position. Their sole desire was to keep the standard of club life as high as possible.

Mr. HART-DAVIES (Hackney, N.) said he did not rise in any way to oppose the Amendment. The objection to an inspector in uniform entering a club might be a matter of sentiment, but he thought that it was a kind of sentiment which ought to be respected. At the same time he would have liked a more thorough lay inspector than the hon. Member for Barnard Castle seemed to suggest, one who would be in a position to look into the books and accounts, and he hoped when the Committee came to consider the Amendment on that point later on the Paper, the Government would accept it. He also hoped that it might be a lay inspector and not a police officer at all. He could not see why an inspector from the Home Office should not be appointed to examine the premises and see how the club was constituted; whether it was a *bona fide* club; and whether they could not do away with those things in club life which they wished to avoid. However, they felt grateful to the Government for the concessions they had made, especially when the inspector was to be empowered to make the inspection by an order of a justice of the peace.

Mr. S. COLLINS (Lambeth, Kennington) speaking on behalf of the clubs, thanked the Solicitor-General for the concession which he had made so far. But he thought that the Solicitor-General might go a little further and keep the policeman out altogether. That would please the clubs. There was a strong feeling throughout the clubs against a policeman in uniform going into their premises at all. It would be much better if a lay inspector could be appointed, and that might get over the difficulty. The Solicitor-General had said that a lay inspector would be a great nuisance, but he thought he would be welcomed by all well-conducted clubs, the members of which would be pleased to show him how well the clubs were managed, while, on the other hand, he would be a terror to evil-doers in the bogus clubs. As he had said, they were very much obliged for the concession so far, but they would feel still more grateful if the Solicitor-General would go the whole way and keep the policeman out, even with the order from a magistrate, and set up a lay inspector.

Mr. EVELYN CECIL (Aston Manor) said that if they were to have inspection at all, he entirely agreed with the Solicitor-General that a straightforward police officer was preferable to any other suggestions made in various quarters of the House.

Amendment agreed to.

Sir S. EVANS moved to insert after the word "shall," the words "if he has obtained a written authority for the purpose from a justice of the peace having jurisdiction in the place." He did not want to make any further observations except to call the attention of the Committee to a subsequent Amendment which would make it necessary for the police officer to produce the written authority by which he entered the club. That, he thought, would be an additional safeguard.

Amendment proposed—

"In page 20, line 23, after the word 'shall,' to insert the words 'if he has obtained a written authority for the purpose from a justice of the peace having jurisdiction in the place.'"—(*Sir S. Evans.*)

Question proposed, "That those words be there inserted."

SIR F. BANBURY (City of London) said that the production of a written authority was of very great importance, but he failed to see why it should not be signed by two justices of the peace. The Solicitor-General had talked about justices of the peace who were influenced by a desire to curry favour with the brewers or by other considerations. It might be possible that one justice of the peace would be in collusion with a particular society or a particular firm of brewers——he did not want to make any charge against temperance societies—with regard to the inspection of a club at a particular time. All he would have to do would be to call in some person to give information about a club, and then the particular justice would be on the spot to sign the authority, and the matter would be at an end. He knew from his own experience on the bench that there were many precedents for two justices of the peace having to sign an authority. That being so, he did not see why the Solicitor-General, who had made a certain concession in this direction, should not go further and say that two justices, instead of one, should sign the authority. There would be no difficulty in getting the signature of two justices, and he hoped that the hon. Members below the Gangway would support him. To put himself in order he begged to move to leave out the words "a justice," and insert the words "two justices."

Amendment proposed to the proposed Amendment—

"In line 2, to leave out the words 'a justice,' in order to insert the words 'two justices.'"—(*Sir F. Banbury.*)

Question proposed, "That the words 'a justice' stand part of the proposed Amendment."

MR. ARTHUR HENDERSON hoped the Government would not accept this Amendment. They had to recollect that these clubs were growing up very considerably in the country districts. Those Members who represented county divisions knew the extreme difficulty there was at present in finding one magistrate. [AN HON. MEMBER: Not at all.] He was giving his own experience. He represented a division thirty-six miles long, and in some parts of his district they had got to go five, six, or seven miles to find one magistrate. It was not very easy for them to get a magistrate appointed; although it might have been easy for his hon. friends above the Gangway to get magistrates appointed when they were in power. The difficulty of securing a magistrate to sign an authority would be very great if an objection against a club was to be lodged. The objector would have to travel not only six miles to find one magistrate, but more than six miles to find two. This Amendment of the right hon. Baronet would reduce the power of objection to a farce, and he sincerely trusted that the Government would stick to their own Amendment.

*SIR J. JARDINE (Roxburghshire) thought that the hon. Member for the City of London was thinking of cases where deliberation ought to take place; but there were many cases where speed was of the essence of justice, and one of these was where there was suspicion as to the proceedings of a club. From personal experience he knew the difficulty of finding even one justice in country districts, for example, to deal with military deserters arrested by a village policeman; and he thought that the proposal as it stood was reasonable, especially when they considered the difficulty of getting two justices except on the days when they met in Petty Sessions.

Mr. RICHARDSON (Nottingham, S.) said he did not oppose the Amendment of the Solicitor-General, but he thought that some weight should be attached to the statement of the hon. Baronet the Member for the City of London. He represented a city in which there was a real danger in relation to clubs. The hon. Member for Roxburghshire said that speed was sometimes the essence of justice; but justice should be the very essence of this Bill, and he was afraid that unless the hon. Baronet's Amendment was carried, sometimes justice would not be done to some of the clubs in the City of Nottingham. In his city they had 1,000 licences, and one brewery owned 160 of them. They had three magistrates who were either directors or trustees for the debenture-holders of the brewery company, and if the Amendment were carried, and it was in the interest of the brewers to close the clubs, it would be very easy for one of those directors or trustees of this particular brewery to sign a warrant ordering the inspection of a club with a view to getting it closed in order that they might be assisted to carry on their business in their licensed houses. If this question was carried to a division he should certainly vote against the Government.

Viscount HELMSLEY (Yorkshire, N.R., Thirsk) thought the Government would do well to accept the Amendment. He could not follow the argument of the hon. Member for Barnard Castle. He represented a large county constituency, and agreed with him that in some cases it was difficult to get hold of magistrates; but, although it might be difficult for the working-man to do so, he did not think it was in the least degree difficult for the police or the chief constable to find two magistrates, because that was what they had to do in the course of their ordinary duty. When an authority was required, there would be no obstacle to the police officer getting it in any Petty Sessional Court in which magistrates sat very frequently. It would be quite easy for any police constable to get an authorisation from two justices of the peace when they were sitting. He thought the hon. Member for Barnard Castle overlooked the fact that it would not be the working man or anybody who was unofficial who would have to get this consent from the magistrates. It would be for the police. He hoped the Government would reconsider their view on this Amendment, because, after all, as the old saying ran: "Two heads are better than one." If they put the duty on two justices they would be less likely to have inspection ordered where it was unnecessary, and they would have a safeguard against one fanatical justice of the peace, who might wish to have this inspection carried out very frequently and who would see to it that such inspection was arranged. The importance of this turned upon the words which came later in the clause, "at any time," because, as he understood it, this authorisation by the justices would not be for a particular entrance by a police constable on a particular day, or at a specified time, but would be a general authorisation, running for a considerable period. If that was the case, he certainly thought the more closely it was safeguarded the better. Therefore, he had great pleasure in supporting the Amendment of his hon. friend.

Mr. W. E. HARVEY (Derbyshire, N.E.) hoped that the Government would stand by this clause. It might be that the party opposite were more favourably situated in regard to justices of the peace, because their party had been in power for twenty years, than were the supporters of His Majesty's Government, but in some instances there would be difficulty experienced in country districts in obtaining the signature of two justices. He would give an illustration. He represented a county constituency, and he had some knowledge of what the difficulty was there, where there was only one magistrate of his own particular persuasion. One was, therefore, inclined to be a little suspicious with regard to this matter. In regard to exemption orders for vaccination, men were put to very great inconvenience in county constituencies, having at a week-end to go three or four miles to get them from magistrates. The clubs' association of the country were satisfied with one magistrate. He, therefore, hoped the Solicitor-General would stand firm in regard to it, in the interest of rural districts and those large places where it was most difficult to obtain a magistrate. In so doing, the hon. and learned Member would be doing justice to the people.

MR. GOULDING (Worcester) thanked the Solicitor-General for his Amendment, which was, he thought, undoubtedly a great improvement on the clause as it stood, but he suggested that the hon. and learned Gentleman should go a little further towards meeting the views of the Opposition, and accept the proposal of his hon. friend the Member for the City of London. It was really a most important innovation that the Committee was proceeding to make, viz., to invade the domicile of the individual. Whether it was the case of a single person or of that of a number, certainly where men gathered together under the law of the land they had an absolute right that every security should be taken to prevent intrusion on their domains, except on very well-founded grounds. To his mind the Solicitor-General had gone some way to allay uneasiness in insisting that this intrusion should only take place after permission had been obtained and careful inquiry made by one magistrate; but it was idle to say that in every district they could absolutely rely on the discretion of one magistrate in relation to this great innovation in the amenities of club life. If he wanted an illustration of this he need not go any further than the statement of the hon. Gentleman opposite that there was only one magistrate in his district of his political persuasion. It was evident that in the hon. Member's district people were inclined to canvass the political persuasions and beliefs of the different magistrates, instead of going to them as men who had to dispense justice irrespective of creed, politics, or any other personal consideration. He was not quite certain, but the Solicitor-General would set him right if he was not accurate, but as he understood it, at the present time, when friendly societies or other bodies or individuals required an extension of hours —required what was called a temporary licence, which was often an off-licence—that application was put down to come on before two magistrates. He had sat for a great number of years for a county constituency, and he had never known a case yet, where a friendly society desired to get an extension for an evening's entertainment, where they had found a difficulty in coming across the necessary number of magistrates. In spite of what his noble friend said there still seemed to be some misapprehension on the part of the Committee with regard to who was to get these orders. The hon. Member for Derbyshire spoke of the difficulty in finding magistrates by those desiring relief under the vaccination laws, but it was not the individuals here who had to seek the magistrates, but the paid police officials of the country, and it was and would be part of their ordinary every day duty. It was men who would be brought frequently in contact with the magistrates, and would, therefore, be in a position to have some knowledge of where they were likely to catch or get hold of these individual men. If they were any good as constables or police officers they would know what were the ordinary avocations of these magistrates, and therefore it was all moonshine to say that there would be any difficulty whatever in getting hold of two magistrates to give a written authority. What they ought to do was to safeguard in every way the abuse of this power of intrusion into genuine clubs, and that could only be done by saying that there should be more than one head to be consulted, when permission for the intrusion was applied for. His hon. friend below him had suggested a very reasonable Amendment. They were told a great deal about the sparsity of magistrates throughout the country, but he thought that almost the chief occupation of the Lord Chancellor since the Prime Minister came into office had been in increasing the number of magistrates on the bench. The noble and learned Lord had appointed fifty or 100 magistrates, and was still at it. He understood that his whole time was occupied in meeting these hon. gentlemen. [AN HON. MEMBER: He has a lot to do.] He dared say he had, and he might keep the party together by these means.

THE CHAIRMAN reminded the hon. Member that he was wandering from the Amendment.

MR. GOULDING said he was pointing out that the magistracy had been materially increased, and there were also the *ex officio* magistrates in each district, who were always, in his experience, to be got at—[" Oh."]—for the purpose of obtaining their judicial consideration of applications made to them. These were men having the confidence of the people among whom they lived. He again appealed to the Solicitor-General, to whose courtesy and consideration in the conduct of this Bill everyone would bear testimony, to meet the views of those on that side of the House, and thus save a great deal of difficulty on the consideration of further Amendments. He was in communication with several clubs throughout the country from time to time, but he had not heard from any of the members of those clubs that the written authority of one magistrate would meet their views. All of them detested the idea of a policeman intruding into the domain of their clubs, and he failed to understand how hon. Members who were connected with clubs could say that they would be satisfied with the signature of one magistrate. This was the first time the Solicitor-General's Amendment had been put down, and if the hon. and learned Gentleman had told the Committee that he had been in communication with all the multitudinous clubs in the country, and found they were all in favour of his proposal, that would be a different matter. The hon. and learned Gentleman might have seen Mr. Hall, of the Working Men's Club and Institute Union, but it was impossible for him to have tested the view of the multitudinous clubs throughout the country. He hoped the hon. and learned Gentleman would accept the Amendment of the hon. Baronet, and thus secure the better working of this clause and prevent that tyranny and espionage which might be carried on under its provisions.

SIR S. EVANS said he had listened attentively to the arguments to see on which side the balance lay. The Government was very anxious not to interfere unduly with the rights and liberties of *bona fide* clubs, and had, therefore, put in the safeguards already accepted, but it was very important not to put any unnecessary difficulty in the way of a police officer who thought it his duty to go into a club. He therefore thought it should be left to one justice. Justices were not always at home, and there might be a difficulty in finding a second one, and whilst the police officer might be seeking for a second justice to sign his authority the very thing that he had reason to suppose was going on in a particular club might be caused to disappear. It was quite true that he had not had an opportunity of consulting all the multitudinous clubs in the country. The office he held was not a sinecure. There were only twenty-four hours in a day and seven days in a week. He had, however, had an expression of opinion from many Members of the House who were in touch with these clubs. The hon. Baronet had said they required the consent of two magistrates before they could have an " occasional " licence to sell liquor for a temporary purpose, such as a fair, a dance, or something of that sort. That was quite a different matter. That was asking for a licence to sell liquor at a particular place at which there was not a licence, but really he might appeal to the reason of the hon. Baronet and remind him that one justice could grant a search warrant, and that a search warrant not only authorised a police constable to go into premises, but to go in by force, seize papers, and take the names of all the people present.

LORD BALCARRES (Lancashire, Chorley) remarked that he did not like the simile of the Solicitor-General, nor did he think it applied, inasmuch as clubs were not criminals. Of course, the consent of one justice was sufficient for a search-warrant where they had to deal with a criminal, but even then one process was not sufficient. They must first lay the information. One justice only was necessary in the case of a criminal. It seemed to him that the chief objection to two magistrates was lack of convenience. An hon. Member had spoken about the outlandish districts in Derbyshire, where the magistrates lived ten miles apart, and might be absent from their homes on business or pleasure; but these were not districts where these clubs existed. The hon. Member had given the only pertinent reason against the Amendment from the Liberal point of view which had yet been delivered.

MR. W. E. HARVEY said that in his division there had not been a justice appointed during this Parliament.

LORD BALCARRES said that that was possibly because one was not wanted or else there was no gentleman sufficiently Radical to make a magistrate. He did not believe there would be any real difficulty in getting the signatures of two magistrates. It would be a guarantee that two men in authority should sanction the intrusion of the police into private and well-conducted clubs.

MR. NUSSEY (Pontefract) was extremely glad the Solicitor-General had proposed this Amendment. It was suggested by hon. Members opposite that the signature of two magistrates should be obtained, but that he thought was not necessary. He would, however, like to know how long it was intended that the permit should last. There was nothing that he could see to prevent a permit being held by the police for two or three months, whilst they lay in wait for the club. He thought such a thing as that ought to be safeguarded against.

MR. COURTHOPE (Sussex, Rye) said the point just raised was of great importance. The Amendment, he thought, as it stood, should not be made. He hoped some assurance would be given that a permit for an indefinite time would not be granted. He quite recognised the view of the Government, who wished to secure the supervision of a club whenever it was thought the management required looking into, but everybody would agree that such supervision should be so guarded that it should not become persecution. They were, therefore, entitled to press for an assurance from the Government that a strict limit of time should be given to the powers under this clause. He did not agree with the hon. Member opposite that there would be a difficulty in getting two magistrates. He sat on a county bench which met once a month, and there would be no difficulty whatever in getting two magistrates together. No difficulty arose in practice, and whenever it was really required that two magistrates should be got together they were always found. The learned Solicitor-General had said that in the case of occasional licences it was always known some time beforehand that they would be wanted, but that was not always the case. It constantly happened that a sudden demand for an occasional licence arose, and the legislature had thought right that it should not be too easy to obtain it, and had said that two magistrates should be necessary. It often happened that an occasional licence was obtained from two magistrates, and he thought the same thing should apply in the case of a request for a permit to enter a club. It should not be made too easy to obtain. It should be possible, if the police had a strong suspicion that a club was conducted in such a way as to require inspection, for that inspection to take place, but there should be no persecution or annoyance. He was certain that if the hon. Baronet's Amendment was accepted it would not be any check upon the adequate supervision of these clubs, but it would prevent the police running a possible risk of refusal by going on more or less trifling grounds. The learned Solicitor-General must see that it would not in any way prevent, or even make it difficult to obtain the inspection of a club, and it would secure the clubs against anything in the way of frivolous annoyance. He thought the claim set up that the clubs were satisfied with one justice was perfectly preposterous. He had no hesitation whatever in saying that the clubs were not satisfied, and could not be satisfied, with one justice. It was impossible that more than a very small proportion of the clubs could even have been approached on the subject. He doubted whether any had, and even if some secretary of an association of clubs had been approached, and had given his grudging approval, he was sure that opinion did not represent the opinion of the majority of the clubs in the country. They had not been consulted, they did not consent, and he was certain they would not express their approval of this proposal that one justice's authorisation would be sufficient.

*Mr. VERNEY (Buckinghamshire, N.) said it seemed to him that the clause had been rather too widely drafted, and that the net had been cast rather too far. He thought it a very important point that they should know what the words "at any time" meant. He believed it meant at all reasonable hours, but he did not think it was so worded as to define that meaning. There was another matter in which he thought the clause was worded too widely. The chief constable of a county could go into any other county as it was now worded, but he was sure the Government did not mean that. He thought it should be confined to any chief constable of a county or borough in which the club in question was situated.

*The CHAIRMAN said they had better not discuss the whole clause now. With regard to the order lasting for any time he had had another Amendment handed in, which he thought it would be convenient to take after the Solicitor-General's Amendment had been disposed of.

*Mr. VERNEY said the object of everybody in the House was that there should be efficient control when there was a *prima facie* case of something unlawful going on, but still there should be no humiliation imposed on those clubs which did not deserve it. Having been connected with clubs for very many years, he thought above all things, when anything wrong was going on in a club, that the sooner it was detected the better. The best means of stopping that wrong was for the committee themselves to take the matter up and deal with it, and in this case, no outside inspection would be wanted.

The CHAIRMAN: The hon. Member is out of order in discussing that.

Sir S. EVANS said he would be very sorry to appear to be giving with one hand what another took away. It was never intended that the power to enter should be absolutely indefinite, and he did not think the words carried that meaning, but he was quite willing to make a provision that the authority should not be an unlimited authority. To make it unlimited would be really to sweep away the safeguards provided already.

*Mr. REES said there was some difficulty in getting two justices of the peace in other places, without going into the bye-ways of Derbyshire. He would answer for it that in Middlesex, which bench was very largely stafied, the difficulty sometimes occurred, perhaps because the magistrates were for the most part men with other occupations and not so often country gentlemen as in other counties. But there was a difficulty in getting two magistrates in Middlesex sometimes, whatever the cause might be, and the fact was relevant to the present Amendment.

Sir F. BANBURY said the people who had to get the signatures of the two magistrates were the police, and there could be no difficulty in doing that. Further, he would point out that as far as he knew in the remote country districts, where all this difficulty was to be anticipated, country clubs of this sort did not exist. The great majority of these clubs existed in large towns, and to say that the chief constable or inspector of a large town would have a difficulty in finding two magistrates was absolutely ludicrous. Of course, in any town where there was a stipendiary magistrate his signature would be sufficient.

Sir FRANCIS CHANNING said he would like to remind the Committee that the three Acts dealing with clubs passed by the party opposite, in granting search warrants, granted them on the signature of a single magistrate and also included the words "at any time." He recalled those words for their reflection.

Mr. CARLILE (Hertfordshire, St. Albans) said the Solicitor-General had given them the best of all grounds for appointing two magistrates, for he had said that while the chief constable was proceeding in search of a second justice the cause of the complaint might be removed. Their desire was to do away with the cause of complaint, and if the addition of one justice to the one proposed by the Solicitor-General would have the immediate effect, without any further proceedings, of doing away with the ground of complaint, he thought that was the strongest reason for suggesting that two should be required. In country places clubs did not often exist, and in towns he did not suppose that there would be any difficulty in obtaining the signatures of two magistrates. He did not quite follow the reasoning of the Solicitor-General, that when the chief constable was seen to visit the office or home of one of the justices, those interested in a club would at once believe that a raid was going to be made upon their premises. If obtaining the signatures of two justices would wipe out the cause of complaint, then by all means let the Committee appoint two justices to sign these permits.

MR. HUNT (Shropshire, Ludlow) said that if the hon. Baronet went to a division he should certainly support him, because after all, two magistrates were better than one in a matter of this sort; but if the Government thought the working men of the country were going to stand a detective going into their clubs either on the written authority of one or of two justices he could assure them they were mistaken. Somebody had said that clubs had been consulted. He had consulted the clubs in his district, and they were very definite about it; they would have no detective in their clubs.

MR. REMNANT (Finsbury, Holborn) said the hon. Baronet opposite had made a point which showed that he apparently did not understand the question they were discussing, for he had remarked that there was only necessity for the signature of one justice for a search warrant in a criminal case.

*SIR FRANCIS CHANNING said the "search warrant" procedure in the three Acts he referred to was solely directed to determining whether the club was so managed and carried on as to constitute a ground for striking it off the register. The procedure was therefore absolutely *ad rem* to the precise point under discussion.

MR. REMNANT said the explanation of the hon. Baronet showed that this subject required a great deal more discussion than it had received. No mention was made in the clause about the signature of a justice, but the moment, he supposed, that pressure was brought to bear on the Government——

SIR S. EVANS: It has had due consideration.

MR. REMNANT said that when the Government saw what the effect of the clause would be, namely, unnecessary hardship on the *bona-fide* clubs, then they gave it due consideration, and proposed that the signature of one justice should be obtained before a club was entered. But the time of entry was the essence of the matter, and it was not likely that an entry would be made without consideration. It must be admitted on all sides, with the number of magistrates appointed to-day, that there would be no difficulty whatever in finding two magistrates to give the necessary signatures. Unless the times of entry were reduced to a very small limit, it seemed to him that the general course of events would necessitate a general permit of the chief constable, or some superior officer, to go into club premises at any time. Speaking as a London Member, he must say that both the clause and the Amendment were most unsatisfactory. Apparently a justice in one part of London might give permission to enter a club in another part of London. To say that in a city like London, and many other great cities throughout the country, it would be difficult to get the signatures of two magistrates to a written permit to enter clubs was really taxing their credulity too far. The hon. Member for Derbyshire had stated that in his division there was only one Radical magistrate, and that it would be absurd to expect to get two signatures. Apparently the inference was that two Radical magistrates would sign the necessary permit. He was sure that the vast majority of hon. Members on both sides of the House were anxious that politics should be left out of the licensing question, and, where it was a question of giving a permit, he believed the hon. Member himself, keen politician though he was, would be guided by commonsense and the necessities of the case. The Amendment of his hon. friend was a reasonable one, and he hoped that the Government, who professed themselves anxious not to put unnecessary hardships on *bona-fide* clubs in the way of inquisitorial entries, would accept it. They were all anxious to promote *bona-fide* clubs, and *bona-fide* working men's clubs throughout the country ought to be encouraged rather than discouraged. The sooner drinking dens were suppressed the better. It was because he believed that the Amendment of the hon. Baronet was conducive to the end they had in view that he should certainly support him if he went to a division.

COLONEL LOCKWOOD (Essex, Epping) in regard to obtaining the signatures of two justices, pointed out that if there was a dangerous lunatic living in a street, it was necessary to obtain a certain number of magistrates' signatures before he could be removed. He thought the number of signatures to be obtained should be two. Surely, if that was the case in reference to the removal of a lunatic, it was not too much to ask that two signatures should be necessary for the examination of the premises of a club. He thought that a very fair statement of the case, and unless the Government met them, he trusted that his hon. friend would go to a division.

*MR. REES, who rose amid cries of "Divide," protested against the assumption that no Member on that side of the House could usefully address the Committee unless he took it for granted that every publican was a miserable sinner, and every brewer

"A son of Belial
Blown with insolence and wine."

He was only going to ask the Solicitor - General whether, after this discussion, which had been short enough in regard to this serious matter, he would consider if the Government could not differentiate between the case of towns above a certain limit of population, so as to make two justices necessary there, while retaining the original provision of one justice of the peace in regard to country districts. He trusted he had not overstrained the patience of the Committee in making this suggestion.

Question put.

The Committee divided:—Ayes, 155; Noes, 61. (Division List No. 339.)

AYES.

Acland, Francis Dyke
Ainsworth, John Stirling
Allen, Charles P. (Stroud)
Asquith, Rt. Hn. Herbert Henry
Baker, Joseph A. (Finsbury, E.)
Baring, Godfrey (Isle of Wight
Barker, John
Barlow, Pecry (Bedford)
Barnes, G. N.
Beale, W. P.
Brace, William
Branch, James
Brigg, John
Brodie, H. C.
Brunner, J. F. L. (Lancs., Leigh)
Brunner, Rt Hn Sir J. T (Cheshire
Bryce, J. Annan
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Cawley, Sir Frederick
Channing, Sir Francis Allston
Clough, William
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W
Compton-Rickett, Sir J.
Corbett, C H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Curran, Peter Francis
Davies, David (Montgomery Co.
Duncan, C (Barrow-in-Furness)
Duncan, J. H. (York, Otley)
Erskine, David C.
Esslemont, George Birnie
Evans, Sir Samuel T.
Ferens, T. R.
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Glendinning, R. G.
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Grant, Corrie
Greenwood, G. (Peterborough)
Gurdon, Rt. Hn Sir W. Brampton
Harcourt, Rt Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardie, J. Keir (Merthyr Tydvil)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harvey, W. E. (Derbyshire, N. E
Harwood, George
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Helme, Norval Watson
Henderson, Arthur (Durham)
Herbert, Col. Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Horniman, Emslie John
Hudson, Walter
Hutton, Alfred Eddison
Jacoby, Sir James Alfred
Jardine, Sr. J.
Jones, Leif (Appleby)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lamont, Norman

Layland-Barratt, Sir Francis
Leese, Sir Joseph F. (Accrington
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk B'ghs
Maclean, Donald
Macnamara, Dr. Thomas J.
M'Callum, John M.
Mansfield, H. Rendall (Lincoln)
Marnham, F. J.
Massie, J.
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Murray, Capt. Hn. A. C. (Kincard
Nicholls, George
Norton, Capt. Cecil William
Nussey, Thomas Willans
Parker, James (Halifax)
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Perks, Sir Robert William
Phillips, John (Longford, S.)
Pirie, Duncan V.
Ponsonby, Arthur A. W. H.
Priestley, W. E. B. (Bradford, E.)
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rees, J. D.
Richards, T. F. (Wolverh'mpt'n
Richardson, A.
Ridsdale, E. A.
Roberts, Charles N. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, Sir J. H. (Denbighs.)
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Schwann, C. Duncan (Hyde)
Sears, J. E.
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Soares, Ernest J.
Spicer, Sir Albert
Stanley, Hn. A. Lydulph (Chesh.
Steadman, W. C.
Stewart, Halley (Greenock)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Summerbell, T.
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Thorne, G. R. (Wolverhampton)
Toulmin, George
Ure, Alexander
Verney, F. W.
Walters, John Tudor
Wardle, George J.
Wason, Rt. Hn. E (Clackmannan
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. Dundas (Dumbart'nsh
White, Luke (York, E. R.)
Whitley, John Henry (Halifax)
Williams, Osmond (Merioneth)
Wills, Arthur Walters
Wilson, Henry J. (York, W.R.)
Winfrey, R.
Wood, T. M'Kinnon.

Tellers for the Ayes—Mr. Joseph Pease and Mr. Herbert Lewis.

NOES.

Acland-Hood, RtHn. Sir Alex F.
Anstruther-Gray, Major
Balcarres, Lord
Baldwin, Stanley
Balfour, RtHn. A. J. (City Lond)
Banner, John S. Harmood-
Barrie, H. T. (Londonderry, N.
Bignold, Sir Arthur
Bowerman, C. W.
Bowles, G. Stewart
Bridgeman, W. Clive
Carlile, E. Hildred
Cecil, Evelyn (Aston Manor)
Cheetham, John Frederick
Courthope, G. Loyd
Craik, Sir Henry
Du Cros, Arthur Philip
Faber, George Denison (York)
Fletcher, J. S.
Gibbs, G. A. (Bristol, West)
Gooch, Henry Cubitt (Peckham)
Gretton, John
Guinness, Hon. R. (Haggerston)
Harrison-Broadley, H. B.
Heaton, John Henniker
Helmsey, Viscount
Hill, Sir Clement
Hope, James Fitzalan (Sheffield)
Hunt, Rowland
Lambton, Hon. Frederick Wm.
Lockwood, Rt. Hn. Lt.-Col. A. R.
Long, Col. Charles W. (Evesham
Long, Rt. Hn. Walter (Dublin, S)
Lowe, Sir Francis William
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
Oddy, John James
O'Grady, J.
Pease, Herbert Pike (Darlington
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Remnant, James Farquharson
Renton, Leslie
Renwick, George
Ronaldshay, Earl of
Sassoon, Sir Edward Albert
Seddon, J.
Smith, Abel H. (Hertford, East)
Stanier, Beville
Starkey, John R.
Stone, Sir Benjamin
Thorne, William (West Ham)
Valentia, Viscount
Walker, Col. W. H. (Lancashire)
Walsh, Stephen
Ward, John (Stoke-upon-Trent)
White, Patrick (Meath, North)
Wilson, A. Stanley (York, E.R.)
Wilson, W. T. (Westhoughton)
Wortley, Rt. Hon. C. B. Stuart-
Young, Samuel

Tellers for the Noes—Sir Frederick Banbury and Mr. Goulding.

Question, "That those words be there inserted," put, and agreed to.

*Mr. G. D. FABER said he frankly confessed that he was in some difficulty in this matter as to the particular form of words that was most appropriate for the object he wished to achieve. The Solicitor-General had been good enough to say he would accept the spirit of the Amendment.

Sir S. EVANS: There is no objection to the form of words.

*Mr. G. D. FABER said he wished to change "fourteen days" in his tabulated Amendment to "seven days." But the Amendment did not even now altogether meet their desire, which was that the right of entry on the magistrate's authority should be limited to one occasion, and that the police officer should not be allowed to make, say, seven entries within seven days. What they wanted was that there should be one entry within the space of seven days, to see whether the club was or was not being properly conducted.

Amendment proposed—

"After the words last inserted, to insert the words 'provided such written authority shall only remain in force for the space of seven days from the date of the issue thereof.'" —(*Mr. G. D. Faber.*)

Question proposed, "That those words be there inserted."

SIR S. EVANS said it would never do to say that the police under the written authority of the justice should only enter once. If he had authority for a week or a fortnight or a month, as the case might be, he might find it absolutely necessary to enter on more than one day. They could not possibly confine the entry to one occasion. The whole object of giving the right of inspection would be defeated. With regard to the proviso, they never intended that the authority once given should be absolutely unlimited. That would be unfair. He would be taking away with one hand what he was giving with the other. He might tell the hon. Member what course he had proposed to adopt. When he heard the Amendment read from the Chair that the authority should be limited in its operation to fourteen days, he had intended to say that he was even more reasonable than the hon. Member, and was going to suggest seven days. That having been the course he had intended to take, he had great pleasure in accepting the Amendment.

MR. REMNANT said that as he read the section, in conjunction with the Amendment, this was not a particular entry for a particular club, but it would be a permit to enter any club.

SIR S. EVANS: A particular club.

MR. REMNANT: It does not say so. Does it mean that?

SIR S. EVANS assented.

Amendment agreed to.

VISCOUNT HELMSLEY thought they ought to have a discussion on the point whether power was to be given to an inspector to enter any club at any specified time. He felt very strongly that they ought not to give the police, even within the seven days, power to go in at all times. There ought to be some Amendment to ensure that it should be only at a reasonable time or at a particular time specified on the authority.

Amendment proposed—

"In page 20, line 24, after the word 'any,' to insert the word 'specified.'"—(*Viscount Helmsley.*)

Question proposed, "That the word 'specified' be there inserted."

SIR S. EVANS said the noble Lord would see that it was absolutely impossible to accept the Amendment. It would raise the question of what was Greenwich time. Supposing the justice in his authority said the specified time was to be 12.30. If it happened to be 12.31 before the policeman arrived at the premises he could not enter at all. That was the effect of the Amendment, and it would be doing away entirely with the benefits of the right of inspection to accept any Amendment of the sort.

MR. WALTER LONG (Dublin, S.) said the Solicitor-General had given an interpretation which he had no doubt was accurate, but it was quite obvious that his answer was not a reply to the argument of his noble friend, who sought, not to impose the limitation suggested by the interpretation given by the Solicitor-General, but to limit the occasions on which the police were to exercise their right. It would be obviously quite easy to alter the language. He understood the hon. and learned Gentleman's view to be that if the police were to perform these duties satisfactorily, they must have a discretion as to the number of times they visited a club. He agreed with the Solicitor-General, and he did not think he could support his noble friend in imposing a limitation of this kind upon the police. It was obvious that it would be impossible for the police to ascertain whether their suspicions were well-founded or not until they were able to make more than one visit. He entirely disapproved of these powers, which he regarded as utterly futile and most vexatious attempts to interfere with clubs. He believed when it was known that a policeman, under an order from one magistrate, could enter a club whenever he liked, it would create in the minds of people who used clubs a very unsatisfactory feeling as to the Government that gave him that power.

VISCOUNT HELMSLEY, having regard to the very excellent reason advanced by the right hon. Gentleman why he did not think the Amendment a good one—a reason which certainly had great influence with him—asked leave to withdraw it.

Amendment, by leave, withdrawn.

*MR. G. D. FABER thought the hon. and learned Gentleman would accept his Amendment which followed, in order to make perfectly clear and coherent the Amendment which had been accepted a few moments ago.

Amendment proposed—

"In page 20, line 24, to leave out the word 'time,' and to substitute the word 'hour.'"—(*Mr. G. D. Faber.*)

Question proposed, "That the word 'time' stand part of the clause.

SIR S. EVANS did not think there was much difference between the two words, and, therefore, he could not of course accept this one. Might he give one illustration. Supposing a policeman was able to ride in a motor car and it broke down, and he could not get there in time. What then?

Amendment, by leave, withdrawn.

MR. BOWLES (Lambeth, Norwood) moved an Amendment to secure that the officer should have the power to enter and inspect only the club named in the authority given to him. The clause gave the officer power to enter "any club." He could not conceive that it was the intention of the Solicitor-General that because a magistrate had empowered a police constable to enter a club he should have power to enter the Carlton Club or any other club in the Kingdom. He begged to move.

Amendment proposed—

"In page 20, line 25, after the word 'club,' to insert the words 'named in the written authority.'"—*Mr. Bowles.*)

Question proposed, "That those words be there inserted."

SIR S. EVANS said he did not agree that the words were necessary, but he would not say that there might not be some doubt on the matter. Therefore, he had pleasure in accepting the Amendment.

Amendment agreed to.

MR. EVELYN CECIL moved an Amendment to the effect that the police officer when exercising his power under the section should be in uniform. He thought this kind of inspection should be done in a plain and straightforward manner. It was obviously desirable that this official should not enter clubs disguised as a spy. He believed he was expressing the opinion of almost every club in the kingdom in saying that they felt somewhat indignant that a slur of this kind should be put upon them, especially in view of the enormous number of well-conducted clubs. If this inspection was going to take place, they ought to have a police officer to do it whose duty was largely that of inspecting, and who should enter clubs openly in uniform, instead of spying upon clubs in the way proposed, which was quite unjustifiable.

Amendment proposed—

"In page 20, line 27, to leave out the word 'not.'"—(*Mr. Evelyn Cecil.*)

Question proposed, "That the word 'not' stand part of the clause."

SIR S. EVANS replied that he believed the general feeling in the House was that the word "not" should be retained, and that the police officer should not be in uniform on such occasions. The officer would be much more prominent in uniform.

MR. STUART WORTLEY (Sheffield, Hallam) remarked that when he had the pleasure the other day of listening to the Prime Minister's exposition of this Bill he afterwards asked himself whether the provision that a constable should not enter a club in uniform was a concession or the reverse. He confessed that he did not know what the feeling among members of these clubs was on this point, and he would be glad if some hon. Member below the gangway would inform the Committee.

MR. ARTHUR HENDERSON hoped the Amendment would not be pressed. He had been brought closely into contact not only with the representatives of the Working Men's Club and Institute Union, but with representative clubs in different parts of the country. He could assure the Committee that the provision that the police officer should not be in uniform was regarded as a concession. The desire was to keep clubs what they were intended to be by the best committees, namely, the means of healthy recreation, affording opportunities for social intercourse apart altogether from the idea of the public-house. They felt that if a police officer was to march up in uniform entering what was not exactly a home, but was to some extent used in that sense, it would constitute an interference which would be strongly resented by the members. He appealed to his hon. friend not to press his Amendment.

MR. LAMBTON (Durham, S.E.) said that this was a matter which went much further than the mere question of uniform. Under this provision a police-constable could without uniform walk into a club in Pall Mall. If he was only coming to inspect the premises why should the official not be in uniform? If he was un-uniformed he might walk through the rooms as a detective and a spy, and if he saw a member of the club lying asleep in an armchair presumably it would be his business to wake up that man and see whether he was drunk or sober. For a constable to enter the rooms of a club in plain clothes was a tyrannical domiciliary visit more suited to Russia than to England. He objected to such visits altogether. They were contrary to the spirit of Englishmen. He appealed to the hon. Member for Barnard Castle to consider whether it would not be better that this police inspection for good and *bona fide* clubs should be made by uniformed officers. He could not conceive that any working man's club would consider it a slur if the inspector came in uniform. The fact that the inspector came in uniform would not in the least reduce the club to the level of a public-house. As a matter of fact the Bill itself did much to bring clubs into the same category as public-houses. This Bill, by restrictive legislation, aimed at the reduction of the number of public-houses and by stringent rules they were reducing clubs simply to institutions under the control of the police. If this kind of inspection was to be done at all it ought to be done openly, and the police should enter clubs in uniform.

*MR. EVELYN CECIL, in reply to the hon. Member for Barnard Castle, said that the Report of the Working Men's Club and Institute Union stated most explicitly that they supported his Amendment. It stated that the Athenæum and the village clubs were at one on this question, and spoke of the official out of uniform as a "sneaking spy."

MR. WALTER LONG submitted that, apart from any evidence in support of the view that clubs did not desire to have inspection by un-uniformed officials, there was a question of wide principle involved. In common fairness, ordinary members of the club who knew nothing about the visit in advance, ought to be aware that there was a stranger on the premises authorised to be there for the purpose. How was any member of a club to know whether the stranger whom he spied in the club was a newly-elected member or a police official if that official was not in uniform. He did not himself share the feeling of dislike to a constable in uniform. That officer was not regarded with so much disfavour as a disguised policeman. If there was misconduct going on in a club, the fact that the inspecting officer was in uniform would not prevent it. If the officer went there with his identity concealed, in order to find out things which he could not find out if his presence were known, then they were adopting a procedure which was altogether un-English. When they gave the right of entry to a policeman for the purpose of ascertaining by his own observation what the conduct of a club was like, surely the officer ought to go in uniform. He submitted that in common fairness the members of a club ought to know that a policeman was on the premises, so that they might be in a position to defend themselves in respect of any charge brought against them collectively or individually. They could not do so if a constable in plain clothes entered when the club was crowded with members in their convivial moments. The officer might go back to the police station and charge half-a-dozen of the members with being drunk or quarrelsome, or with misbehaving themselves in some other way. What chance would they have of making their defence against such a charge? He had the utmost respect for the police as a body, but like other people they were liable to make mistakes. Everyone knew that mistakes were quite easily made as to whether a man was sober or not. If the police were to be allowed to make charges of that kind they should be made under conditions which would enable the persons charged to defend themselves. It was a matter of greater importance than the Committee seemed to realise. This was a novel procedure. The Committee were taking upon themselves the responsibility, no doubt with good reason, of imposing this disagreeable duty on the police. The Committee desired to put down clubs which were mere drinking shops, but in regard to this work of inspection they should remember that they were putting on the police the invidious and difficult task of obtaining evidence. If a constable entered in uniform, it was obvious that he was not so likely to be assaulted as an officer in plain clothes.

THE UNDER-SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. HERBERT SAMUEL, Yorkshire, Cleveland) thought there would be considerable force in the argument of the right hon. Gentleman if they were dealing with casual persons who were allowed to enter clubs just when and how they liked.

MR. WALTER LONG: I do not know to how many clubs the hon. Gentleman belongs, but I am a member of a great many clubs, many of which I use frequently. To suggest that I could identify 30 or 40 per cent. of the members of every club to which I belong is to suggest something which is altogether unthinkable.

MR. HERBERT SAMUEL said he did not suggest that the right hon. Gentleman could know every individual member, but he would remind him that, in every reputable workman's club registered under the Act of 1902, a visitors' book was kept at the entrance, and no stranger was admitted unless he was accompanied by a member.

VISCOUNT HELMSLEY: How about an affiliated member?

MR. HERBERT SAMUEL replied that no person was admitted as an affiliated member unless he showed his card of affiliation, and the whole contention of the right hon. Gentleman fell to the ground for the simple reason that a police officer could not find his way into any properly conducted workman's club without showing the authorisation which he was required to produce. The purpose of the Government was simply to make this inspection as little irritating to clubs as possible, first by providing that it should be carried out by a superior officer, and not by the ordinary police constable, and, secondly, by providing that he was to be in plain clothes at the time. It would cause the greatest commotion and disturbance among members, and the greatest irritation—they would regard it as an insult—if, when they were spending a convivial evening, they were to have a police officer, clothed in the garb of his office, going through the various rooms of the club. As to the opinion of the clubs on the subject, he would remind the Committee that no Amendment had been put down to this particular provision by anyone who, on this portion of the Bil', had been representing the interests of the club.

MR. LAMBTON said the hon. Gentleman had stated that it was not probable that a constable or inspector would be able to enter without indicating his identity. How were these gentlemen to enter the club rooms? Was an officer on entering a room to say: "I am an inspector," or was he to wander about while in the club without disclosing his identity?

MR. GOULDING said the whole spirit of the clause was odious from start to finish, and he did not believe that it would in the least secure what the Government intended. The observations of the Under-Secretary showed that he was absolutely unacquainted with the working of clubs. It was absurd to say that if an officer in uniform went into a club the members would be alarmed. To his mind, the object of this individual's entering a club was to detect what he believed—though he did not know—was going on wrongly in the club. It was under the suspicion that drunkenness or some other abuse of its privileges had taken place that the inspector was to enter. The inspector had no right to go into the club otherwise, and unless he was in uniform what was he to do? Was he to go through the rooms and loiter and lounge about until he found some chance individual transgressing? The object of police inspection was that when a distinct charge had been made against a club or individuals in respect of their abusing their privileges the officer should go there openly to see whether the rules were being transgressed. He had always thought that a club was a place where men assembled who had thoughts in common as regarded politics and even as regarded religion, but if a stranger was allowed to enter and sit about in the guise of a spy the question could very well be asked: Where were the privileges connected with the club? The proposal was un-English and would never receive the assent of the people if the question were put to them. He hoped the Government would realise how detestable this clause was. The Government would not get over evils by introducing some Russian system of tyranny. He hoped the proposal would be opposed tooth and nail.

MR. HART-DAVIES said there had been a feeling in the clubs that if a policeman was to come in at all, it should be in uniform. But he admitted that during the last two or three months that feeling was not particularly keen, one way or another. No doubt in the better working men's clubs there was a register of members, and a porter at the door who knew all the members, so that it was very hard for a stranger to get in. The matter, however, was not one of supreme importance now that the officer making the visit was to be a superior officer, but he still held the view that, on the whole, clubs would prefer that the officer should be in uniform.

MR. PATRICK WHITE (Meath, N.) said the Government wished to impose this clause from a consideration of the feelings of the members of the clubs. The Under-Secretary had stated that in the workmen's clubs which he had visited, a stranger's name was entered in a book and a certificate given. But that only occurred in clubs where the rules prescribed it. How could an ordinary club member, who only went there occasionally, distinguish between a member and a visitor introduced by a member, and a spy? He thought that any ordinary member of a club would prefer an officer in uniform to a detective in plain clothes who would watch his every movement. If inspection was necessary why should it be done by stealth or in an underhand way instead of in an open, manly way? He did not like a man whom he did not know to be at his elbow, spying everything he did, and listening to the private conversation of members. That would do away with the privacy of a club which should be regarded as a home; and he hoped the Government would respect the feelings of those who knew club life.

LORD BALCARRES said that the Under-Secretary seemed to endorse the view that members of a club would regard the visits of a police officer in uniform as an insult. That was a very singular statement to come from a representative of the Home Office.

MR. HERBERT SAMUEL: I said it would cause disturbance and commotion.

LORD BALCARRES said that "insult" was the term the hon. Member used. There would, in his opinion, be less commotion in a club caused by the entrance of a policeman in uniform than there would be by the visit of a policeman in mufti. He had not the smallest hesitation in saying that, from his own experience of clubs, members of these institutions would much rather see a man in uniform and know who he was, and what his business was, than have the knowledge that, at any time, there might be a plain clothes man on the premises looking about in order to find out something that he might bring against the club or any individual member. The Under-Secretary had spoken about door-keepers of a club. Of course, in grand clubs, such as the Athenæum and other West-End clubs, there were door-keepers; but the average artizans' clubs in Lancashire which he knew could not afford to pay £60 or £70 a year for doorkeepers. Anyone could walk in and out of these clubs, where there was only a general factotum who went about from room to room to see that nobody was present who was not authorised to be there, and who, if he found such a man, would ask him what his business was. The hon. Member for Bethnal Green only spoke of clubs in his own constituency, where there was one of the finest in the kingdom and where there was a door-keeper. But in ordinary clubs, where there was the greatest danger of abuse, they could not always have a man at the door to check the entrance of strangers. He stated unhesitatingly that unless they wanted to create a reaction against legislation of this character, everything should be done to circumscribe and allay the irritation which it would inevitably arouse. Which would cause the maximum of espionage? The visits of a plain clothes man or a policeman in uniform? He held strongly to the opinion that if there was to be inspection of clubs, inspection by a uniformed policeman would cause far less irritation than inspection by a plainclothes man; and that was the opinion of the members of artizans' clubs in his constituency.

*MR. GEORGE ROBERTS (Norwich), said that when the Bill was first introduced very strong resentment was manifested against police inspection, especially by men in uniform; and that was why they desired that lay officers should be appointed for the purpose. They had to disabuse their minds of the idea that this inspection could be a form of spying, and also to consider the concessions which had been made by the Government. First of all, he admitted that the clubs would have to be under some kind of inspection; but what would be the procedure? There would be some feeling in the neighbourhood that a club was not properly conducted, and complaints would have to be made to the chief constable. If that official was assured that the complaint was well established, he had to get the signature of a justice of the peace to a right of entry, and the inspector would have to produce that authorisation at the door. He had been a secretary of a club and could approach this matter from a practical point of view. In his club members of the committee took their turn of duty at the door to see that no visitors entered without proper introduction. He himself had been on duty at the door, and if a member desired to introduce a visitor, a book had to be signed. The same was the case with all registered clubs, so that it was impossible for an unknown stranger to secure entry. When a superior police officer presented his authority to the person at the door, that person would accompany the officer round the building; and certainly it would not be long before everybody in the club knew that an inspector was there to take notes. The objection to the Amendment, as he understood, was two-fold. First, that all inspection was objectionable. That he could understand. Secondly, that it ought to be done openly, so that everybody would know that an inspection was being made. He was not concerned that everybody should know that an inspector was present. The inspector should be allowed to see how the club was conducted in an ordinary way. If notice was given there would be nothing to which the inspector could take exception. He and those with him were satisfied that the Government had met their objections to a very considerable degree; and as they desired that the inspection should be real and tangible, they considered it should be conducted by a policeman in plain clothes, rather than by policemen in uniform. He hoped, therefore, that the Government would stand firm.

SIR F. CAWLEY (Lancashire, Prestwich) said that in Lancashire anybody could go into working-men's clubs at any time in the evening. Very often the steward of the club might be serving members in a room and a plain clothes man might go into any other part of the building and sit there for a couple of hours watching and spying what was being done. He preferred that the inspection should be done by a police officer in uniform, who, of course, would not go into the club unless previously he had reason to suppose something wrong was going on. But he should go in openly and accuse the steward of what he complained about.

MR. BOWLES said he understood the hon. Member for Norwich, who spoke with the authority of one who had himself served as a secretary to a working-men's club, to say that under the clause as it now stood, within a very short time of the entry of an inspector, everybody in the club would be aware that an inspection was going on. The hon. Member's second proposition was that he thought it would be an undesirable thing that it should be known that an inspector was in the club. Under these circumstances, he did not understand how the hon. Gentleman could object to this Amendment. The real question was whether it was desirable in the case of a respectable, genuine, and *bona fide* club the members should be aware that an inspection was taking place. It appeared to him, on the face of it, it was essential, inasmuch as they were dealing with an altogether novel proceeding, that every member of a club should know, and was entitled to know clearly, and at once, that the premises were being inspected at the very moment of inspection. Unless that were established, a member of a club would never know when he went into a club whether or no he was being officially inspected. The best method of making that clear was that the inspectors should be in uniform. It was not enough that a general word should be sent round to all the members in the club that there was an inspector present. Everybody should know it openly and not in an underhand and undesirable way. He earnestly hoped that his hon. friend would press his Amendment, and that the Solicitor-General would accept it.

MR. JOHN WARD (Stoke-on-Trent) thought the speech of the hon. Member for Norwood was the most illogical he had ever heard him deliver. The hon. Member generally kept most rigidly to the principle which he set out to illustrate and did not drop it by any argument which he delivered, as he had done on that occasion. It was well known that if inspection of a club was desired—if the police wished to interfere with the existence of a club, or if they felt that any illegal act was being committed—it was quite competent for them even now to spy upon it. It was not impossible to become a member; indeed, it was a very easy matter to become a member of these clubs. He thought everybody would agree that there was no very rigid investigation as to the qualification or otherwise of the individual. He generally applied and signed a form of application to become a member, and if he was a detective he would not be at all particular about what he signed on the form. The consequence was that this idea of opening up some terrible system of secret spying, which the hon. Gentleman on the opposite side suggested, only existed in his own imagination. All these powers existed to-day, if the police chose to use them. What had been done entirely took away their opposition. He was a member of a working men's club, and had been for years, and what took away their objection entirely was this. They had been, and he thought they were now, utterly opposed to inspection of every description, because they knew very well that the clubs of hon. Gentlemen on that side who sat above the gangway were not going to be inspected. It was only the clubs of the working men that were going to be inspected. There might be a prospect perhaps, if the Bill was carried as it was, so that the police officer was not in uniform, of getting a policeman now and again into the Carlton Club, or other clubs, to see what was going on in those aristocratic institutions in the West End, but if he must be in uniform, it was a moral certainty he would not get there, and if he did and made a report of what went on, he would not have his uniform long. Therefore, they must take it for granted that they were not dealing with that question at all. The safeguards which induced his hon. friend the Member for Norwich and himself to support the Government in the proposal that they made was this. Inspection had been decided upon by the Committee; that inspection had been safeguarded, by making it a condition that before the policeman entered he must be authorised by a magistrate, and they took it for granted that when he entered, the very first thing he would have to do would be to present his authorisation. If, however, he wanted to spy upon the club it was always very easy for a man to do so. It was only necessary for an officer of the detective force of the locality to go and sign a form and become a member, and he could spy to his heart's content, whether this clause was in the Bill or not. There was no such difficulty as was assumed. He dared say it was a difficult process to get into an aristocratic club, and the detective would have trouble. All sorts of inquiries would be made. They would want to know in what sphere of life he moved, whether he belonged to the same social standing as the other members, and all about him. But whether it was right or wrong, the working men's club and the working men generally never made inquiries of that description, and consequently those who were members of these exclusive clubs should not imagine that there were the same difficulties in the way of detectives doing their work in working men's clubs as there were in those clubs with which they were connected. This was a moral certainty, as a young officer not more than three or four years ago showed at Barry. The navvies were building docks at Barry, and as they were the most expert shebeeners in the country, they became a positive nuisance to the locality. The young officer decided to become a member of the whole lot of the institutions, and he did, and within about six months by his membership he succeeded in suppressing twenty-two of them. All that was done under the law as it stood at present. This spying was quite possible if there were really bogus institutions carried on. It was quite competent under the present law to carry on the ordinary detective work, and to suppress bogus clubs. At the same time it had been decided by the Committee to have a system of inspection, that inspection had been safeguarded by the written authority of the magistrates being required, and the case was in his estimation entirely met. He hoped the Government, now that the Committee had decided upon inspection, would insist upon the clause as it stood.

*MR. LUTTRELL (Devonshire, Tavistock) hoped the Government would look favourably upon this Amendment, because it seemed to him to embody a very reasonable proposition. In forming an opinion as to this Amendment, one would be influenced by two considerations, one how it would affect the interests of the law, and the other how it would affect the interests of the club. As far as the law was concerned, he took it that it would be better that these constables should be allowed to enter in uniform. Supposing the police were only allowed to enter a club in private clothes, there might be difficulty in providing a constable, for we fortunately had not in this country a general detective system such as some other countries had possessed. Therefore, in the interests of the law it would be more easy to carry out if the clause provided that the constable should be in uniform rather than in plain clothes, unless they were going to have a detective system made general. Then as to whether it would be in the interests of the club, that the police should go in to spy upon what was going on. Formerly he had been a member of a club for many years, and he should not have cared to have a man coming into a club and spying about; he would much prefer the club's being inspected under the law in an open and above-board way. On these grounds, he must ask the Government favourably to consider the Amendment.

CAPTAIN MORRISON-BELL (Devonshire, Ashburton) said the hon. Member for Stoke-on-Trent used a rather curious argument, because he said he knew of twenty-two clubs having been suppressed under the present law. Why, therefore, have this clause at all? It seemed to him to be unnecessary and to be drafted in a very loose way. If they allowed officers to go into a club, even in plain clothes, those employed in the district would be known to all the members of the club; therefore, he would be selected to go to some far district where he would be unknown, and in going into a club he would be acting practically as a spy. Let them carry out the old English idea and play above-board. They might be sure that if there was anything wrong going on in a club some cute people would be on the look out, and the inspector's or constable's visit would be known all over the premises in two minutes, and anything wrong would be put out of sight or got rid of in some sort of way. Therefore, he did not think it made such a difference whether a man was in plain clothes or in uniform, but they should carry out the honest, straightforward ideas with which they were familiar. If a police officer went into a club it ought to be known that he was a police officer. There was a strong feeling in his part of the world about this great infringement of personal liberty. This system of espionage was contrary to English ideas, and for that reason he should support the Amendment.

*Mr. VERNEY (Buckinghamshire, N.) congratulated the Labour benches on their determination that where inspection of clubs was necessary—and where it was not, it would never be put in practice—it should be of a thoroughly drastic kind. He thought those clubmen who knew how thoroughly respectable the best workmen's clubs were, would naturally wish that those who infringed their privileges and misconducted themselves should be at once removed and dealt with severely. He knew as a fact that in many clubs, particularly those at Swindon, policemen were members of workmen's clubs, and one of the delegates from the Swindon clubs when they came to London said that that was a reason against police inspection, because they would have some of their own members inspecting their clubs, which would be absurd. He thought it was partly owing to that fact that it was provided that only a superior class of constable should have this power of inspection. He was one of those who thought that if inspection of a club was necessary it was because the character of that club had been brought seriously into question, and justified a magistrate in granting an inspection order. The hon. Member for Norwood asked whether it was not right that in a respectable club every member of it should know if a police inspector was coming. He should say "Certainly;" if every member of a club and every club was respectable, it would be a good thing that everybody should know that an inspector was in the club. But they were not dealing with these perfect clubs in this matter of inspection, they were dealing with clubs of a lower character, or he would rather put it in this way: they had to deal with clubs in which some few members—a small fraction of the members—were degrading their clubs and themselves, and in that case he would like inspection to be as thorough as they could make it; and he congratulated hon. Members on the Labour bench on the attitude they had taken in support of an inspection which, when necessary, would be made as efficient as possible.

Viscount HELMSLEY was sorry that the hon. Member for Stoke had left his seat after making a peculiarly offensive speech a short time ago, which he felt should not be left unanswered. It was a monstrous proposition to put before the Committee that some of them thought that, if this police inspection was to be in uniform inspection would not take place in the clubs to which they belonged. He thought that was an offensive suggestion. He considered the whole debate on this particular question showed what a position of difficulty they were in through having adopted this un-English idea of inspection, which, if it was carried out by men in uniform, would be irritating and more or less useless. If they had inspection by men who were not in uniform they would be open to the charge that they were encouraging a system of espionage which they had heard of elsewhere, but which had never been adopted in this country. The hon.

Member for Stoke had mentioned a place in Wales where twenty-two clubs were suppressed owing to a police officer becoming a member. What a commentary on the licensing restrictions in Wales! If that was the result of these restrictions, it went far to prove what the Leader of the Opposition said a few days ago, that the Government had upset the balance, and that the restrictions on clubs would not have the desirable effects they anticipated. There was another point of some importance with regard to the question of uniform. He rather liked to look at it from the point of view of those who were to make the inspection. Nobody had a greater admiration of the police force in this country than he had, but he thought the Committee would be putting them in a very difficult position, and one of great temptation, by telling them that they were to go into these clubs in plain clothes to carry out inspection. At any rate, if a man was in uniform he had the sense of responsibility which the uniform carried with it, and he could not help thinking that if a man was to make this inspection in plain clothes, such inspection would open up a greater possibility than otherwise would be the case of corrupt practices ensuing in undesirable clubs. He thought that that was worthy of consideration. Although at first he was doubtful whether it was not a concession that the inspection should not be in uniform, after listening to the debate he was convinced that it was a mistake. He found it was really no concession whatever. If inspection was to be carried out it should be carried out in uniform openly and above board.

MR. RICHARDSON (Nottingham, S.) said that if it were not for the fact that he believed the police of this country, especially chief constables, were men of common sense, he could conceive that there might be some danger in carrying out this particular clause. He was not afraid of espionage though he was a member of a working man's club, and he was quite sure that the inspectors would never be seen in the ordinary Conservative, Liberal, social, or workmen's clubs. It was only because this evil was springing up that this precaution was necessary. He was not in favour of any inspection whatever, but seeing there was a general consensus of opinion that there should be some kind of inspection, he must say, as a member of a working-men's club, he preferred a man in uniform to a man in plain clothes.

*MR. REES expressed his dissatisfaction with the speech made by the hon. Member for Stoke. It was a very serious thing to say that if a policeman came into a club with an authorisation under this Bill the members of the club would obtain his dismissal from the force. The objection of the club would be against the Government which passed the Act which gave the authorisation and not against the man who acted on it and was merely an agent. He thought the hon. Member for Stoke must really be under a misapprehension. It was not necessary for the policeman to be a member of the club in order to carry out this inspection, but the hon. Member so dwelt upon the difficulty of getting into the clubs of Pall Mall, that one was tempted to believe he thought this was the case. It had been said that this section was only intended for such clubs as were badly conducted, but the clause applied to all. It was unfortunate that there was no saving clause, by which clubs which had traditions and excellent characters could be exempt from this inspection. If the inspection was, however, going to be made, it would be better for a man in plain clothes to do the duty, because if he were in uniform they might just as well beat a drum and inform the club that the inspection was about to take place. If they were to have this clause—and he rather thought they could have done without it—it ought to be in the terms drawn by the Government, so he should vote against the Amendment of his hon. friend.

Question put.

The Committee divided:—Ayes, 186; Noes, 69. (Division List No. 340.)

AYES.

Acland, Francis Dyke
Adkins, W. Ryland D.
Agar-Robartes, Hon. T. C. R.
Agnew, George William
Ainsworth, John Stirling
Allen, A. Acland (Christchurch)

Allen, Charles P. (Stroud)
Baker, Joseph A. (Finsbury,E.
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnes, G. N.
Beale, W. P.
Beaumont, Hon. Hubert
Berridge, T. H. D.
Bethell, T. R. (Essex, Maldon)
Bowerman, C. W.
Brace, William
Branch, James
Brigg, John
Brocklehurst, W. B.
Brooke, Stopford
Brunner,Rt HnSirT.J(Cheshire
Bryce, J. Annan
Buxton,Rt.Hn.Sydney Charles
Byles, William Pollard
Cameron, Robert
Channing, Sir Francis Allston
Cheetham, John Frederick
Clough, William
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Cooper, G. J.
Corbett,C H(Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cox, Harold
Crooks, William
Davies,David (MontgomeryCo.
Davies, M. Vaughan- (Cardigan
Davies, Timothy (Fulham)
Dickinson,W.H.(St.Pancras,N.
Duncan, C.(Barrow-in-Furness)
Duncan, J. H. (York, Otley)
Erskine, David C.
Essex, R. W.
Esslemont, George Birnie
Evans, Sir Samuel T.
Ferens, T. R.
Foster, Rt. Hon. Sir Walter
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Glendinning, R. G.
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Grant, Corrie
Greenwood, G. (Peterborough)
Griffith, Ellis J.
Gurdon,RtHn.SirW.Brampton
Haldane, Rt. Hon. Richard B.
Harcourt,RtHn.L.(Rossendale
Harcourt,Robert V. (Montrose)
Hardie,J.Keir(MerthyrTydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harvey,W.E.(Derbyshire,N.E.
Harwood, George
Haslam, Lewis (Monmouth)
Hedges, A. Paget
Helme, Norval Watson
Henderson, Arthur (Durham)
Herbert,Col.Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hogan, Michael
Horniman, Emslie John
Hudson, Walter
Hutton, Alfred Eddison
Jacoby, Sir James Alfred
Jardine, Sir J.
Jones, Leif (Appleby)
Kearley, Sir Hudson E.
Kekewich, Sir George
Lamb, Ernest H. (Rohcester)
Lamont, Norman
Layland-Barratt, Sir Francis
Leese, Sir JosephF.(Accrington
Lupton, Arnold
Lyell, Charles Henry
Macdonald, J. R. (Leicester)
Macdonald,J.M.(Falkirk B'ghs.
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacVeagh,Jeremiah(Down,S.)
M'Callum, John M.
M'Kenna, Rt. Hon. Reginald
Mallet, Charles E.
Mansfield,H.Rendall (Lincoln)
Marnham, F. J.
Menzies, Walter
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morgan,J.Lloyd (Carmarthen)
Murray,Capt.Hn A.C.(Kincard.
Murray, James (Aberdeen, E.)
Myer, Horatio
Napier, T. B.
Nicholls, George
Norton, Capt. Cecil William
Nussey, Thomas Willans
O'Grady, J.
Partington, Oswald
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Pickersgill, Edward Hare
Pirie, Duncan V.
Ponsonby, Arthur A. W. H.
Priestley,W.E.B.(Bradford,E.)
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rees, J. D.
Richards,T.F. (Wolverh'mpt'n
Richardson, A.
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson,Sir G.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rose, Charles Day
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Samuel, Herbert L.(Cleveland)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann, Sir C.E.(Manchester)
Sears, J. E.
Seaverns, J. H.
Shaw,Rt. Hon. T.(Hawick, B.)
Shipman, Dr. John G.
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Stanger, H. Y.
Stanley, Hn. A. Lyulph(Chesh.
Stewart, Halley (Greenock)
Straus, B. S. (Mile End)
Summerbell, T.
Sutherland, J. E.
Tennant, H. J. (Berwickshire)
Thorne,G.R. (Wolverhampton)
Toulmin, George
Ure, Alexander
Verney, F. W.
Walters, John Tudor
Ward,John (Stoke-upon-Trent)
Wardle, George J.
Wason,Rt.Hn.E.(Clackmannan
Wason,John Cathcart(Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White,J.Dundas(Dumbart'nsh.
Whitley,John Henry (Halifax)
Whittaker,Rt Hn.SirThomasP.
Williams, Osmond (Merioneth)
Wilson,J.W. (Worcestersh. N.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon

TELLERS FOR THE AYES—Mr. Joseph Pease and Mr. Herbert Lewis.

NOES.

Acland-Hood,Rt Hn.Sir Alex.F
Anstruther-Gray, Major
Balcarres, Lord
Balfour,Rt Hn.A.J.(CityLond.)
Banbury, Sir Frederick George
Barrie,H.T. (Londonderry, N.)
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bowles, G. Stewart
Carlile, E. Hildred
Cave, George
Cawley, Sir Frederick
Clive, Percy Archer
Cochrane, Hon. Thos. H. A. E.
Craig,Captain James(Down, E.)
Craik, Sir Henry
Cross, Alexander
Du Cros, Arthur Philip
Duncan,Robert (Lanark,Govan
Faber, George Denison (York)
Fardell, Sir T. George

Fletcher, J. S.
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Gooch,Henry Cubitt(Peckham)
Goulding, Edward Alfred
Guinness,Hon.R. (Haggerston)
Guinness,W.E. (Bury S. Edm.)
Helmsley, Viscount
Hill, Sir Clement
Hope,James Fitzalan(Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Kerry, Earl of
Kimber, Sir Henry
Lee,Arthur H.(Hants,Fareham
Lockwood,RtHn.Lt.-Col.A. R.
Long,Col.Charles W. (Evesham
Long,Rt.Hn.Walter Dublin, S.)
Lonsdale, John Brownlee
Lowe, Sir Francis William
Luttrell, Hugh Fownes
Lyttelton, Rt. Hon. Alfred
Magnus, Sir Philip
Morrison-Bell, Captain
Nolan, Joseph
Oddy, John James
Pease,Herbert Pike(Darlington
Percy, Earl
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Ratcliff, Major R. F.
Rawlinson,John Frederick Peel
Remnan, James Farquharson
Renton, Leslie
Renwick, George
Roberts,S.(Sheffield, Ecclesall
Ronaldshay, Earl of
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Smith,Abel H. (Hertford, East)
Stanier, Beville
Starkey, John R.
Stone, Sir Benjamin
Valentia, Viscount
Walker, Col.W.H. (Lancashire)
White, Patrick (Meath, North)
Young, Samuel

TELLERS FOR THE NOES—Mr. Evelyn Cecil and Mr. Lambton.

SIR S. EVANS moved to add at the end of the clause "and shall produce his authority, if it is demanded by any member or official of the club." He had, he said, added the words "or official" on the representation of some of his hon. friends, who had pointed out that there were stewards and doorkeepers who were not members, before whom strangers had to appear in many instances before they entered clubs. It was reasonable that the persons on duty at the door should be entitled also to ask the officer to produce his authority.

Amendment proposed—

"In page 20, line 27, at end, to insert the words 'and shall produce his authority, if it is demanded by any member or official of the club.'"—(*Sir S. Evans.*)

Question proposed, "That those words be there inserted."

LORD BALCARRES said it was only in the case of a bad club that the appearance of this gentleman would be necessary or effective, and it was only in the case of badly conducted clubs that any concealment was necessary. This Amendment gave the right to any member to demand the production of the authority, and if a sufficient number of members presented their demand in succession, time would be wasted and the inspection would be rendered useless.

Amendment agreed to.

MR. WALTER LONG moved to add the words "but if the chief constable has reason to believe that the entry and inspection of a club and premises by such person or persons when not in uniform might occasion a breach of the peace he may then direct the officer to appear in uniform." He felt bound to dispute the claim of the Under-Secretary that he had disposed altogether of the reason for which he had supported the previous Amendment because all the hon. Gentleman did was to advance certain allegations of his own which pointed in a contrary direction to the statements which he (Mr. Long) had made; and he was convinced that nobody conversant with club life would from his own experience draw any such conclusions as those of the hon. Gentleman. The point to which he (Mr. Long) directed attention, and upon which he should seek the opinion of the Law Officer of the Crown, was as to what would follow if the entry by the police was made at a time when the condition of a club was such as might involve the risk of a breach of the peace. He was no lawyer, but it was a matter of common knowledge that if a man quarrelled with a man in plain clothes, who afterwards turned out to be a policeman, he was not subjected to the same disabilities as he would be if he quarrelled with a policeman in uniform. He was convinced that the Government had failed to realise what would be the effect of this clause on some of the very clubs they desired to suppress. In regard to well-managed and properly conducted clubs, the entry of the police would be merely a matter of offence to the members, but would have no prejudicial effect on the existence of the club, but where it was one of those places described as mere drinking shops, existing for the purpose of selling drink at times when it could not be obtained in public-houses, and improperly conducted in other respects, there they had gatherings of men at a late hour—men who frequently became quarrelsome, and if the word went round, as it certainly would do if the Under-Secretary's description of such clubs was correct, that there was a spy on the premises, there would be every incentive to a row. He submitted that to cast on the chief constable the duty of reporting on these clubs, and to force him to send a man not in uniform to do it, was to impose on him a duty which he could not discharge without running a grave risk of himself being the cause of a breach of the peace. That was a thing which the House had no right to do. The duties of the police were difficult enough to perform already, and nobody in the House had a right to call to their aid the supreme power of Parliament in order to throw on the police a duty which he would not attempt to perform himself. The Amendment of the hon. Member for Mansfield, who was unfortunately not present, was to enable the chief constable, if he thought a breach of the peace might ensue from the sending of a man in plain clothes, to send him in uniform, and he (Mr. Long) proposed to add words to make that feasible. They had to consider whether it was just to throw a duty of this nature upon the police, and whether if they did so they might not be creating, rather than stopping, crime. In his own part of the world the Petty Sessional Division in which he had the honour to sit ran the grave risk, till the other day, of being extinguished owing to the peaceful and respectable character of the neighbourhood, but, thanks to the arrival in office of the present Government and to their legislation, there was every likelihood of that bench having plenty to do in future, because the Government were continually creating absolutely new crimes and throwing upon the police quite new duties, which would undoubtedly involve the creation of altogether fresh crimes. The policy of the Government had had that effect, and that being so, unless they paused in what they were doing, he was convinced they would throw on the police duties which they would not be able to perform. He begged to move.

Amendment proposed—

"In page 20, line 27, after the words last added, to add the words 'provided that, if the chief constable has reason to believe that the entry and inspection of a club and premises by such person or persons when not in uniform might occasion a breach of the peace, he may then direct him or them to wear uniform.'"—(*Mr. Walter Long.*)

Question proposed, "That those words be there added."

SIR S. EVANS said the right hon. Gentleman had made a forcible speech, and with many of the sentiments in that speech they would all agree, viz., the sentiments in which he declared that everybody ought to assist the police in the performance of their duties. There was no difference at all in the *status* of a police officer whether he was in uniform or not, if he declared that he was a police officer, which he must do before he could get into a club.

MR. WALTER LONG: As he walks about the club amongst the members seeking to find out what their conduct is like, is he compelled to say to each man: "I am an inspector of police"?

SIR S. EVANS said that every member had the right to demand who he was, and he had no doubt whatever that if the officer anticipated any difficulty, he would himself take care to inform everybody in the club that he was there as a police officer doing his duty. In that case, if anybody interfered with him, or assaulted him, they would be guilty of the crime of assaulting the police while in the execution of their duty. He thought the right hon. Gentleman had in his mind something more than the ordinary inspection the Government were thinking of in this provision. The police were not precluded from availing themselves of the power given by the Act of 1902 of getting a search warrant, and to cope with the state of things contemplated by the Amendment the police would undoubtedly have a search warrant. They would never go under the ordinary powers of inspection under this clause to raid a club; they would undoubtedly get a search warrant and go there, not merely in uniform, but probably in force. He thought that was the answer to the objections which underlay the speech of the right hon. Gentleman. He did not think it would be right to accept the Amendment, having regard to the decision of the Committee on the last Amendment, which really amounted to this, that in carrying out these ordinary inspections, they should carry them out in a manner to cause as little irritation and annoyance as possible.

MR. HUNT said the objection which working-men had to the entry of policemen not in uniform was that they could go in and sit down and talk to the members, who would not know who they were. Was the police officer to go into a club and, directly he got into a room, to say: "Hi, look out; I am a police officer"? The working-men thought that they would be spied upon, to which they most strongly objected, and the Government would find that the objection of Radical as well as of Conservative clubs was most strong. Men would not stand being spied upon, and that was what it would mean unless the police went in uniform.

MR. LYTTELTON (St. George's, Hanover Square) said the Solicitor-General had not answered the arguments of his right hon. friend. There were clubs in the large towns which might contain on a Saturday night 500 or 600 people. There might be clubs in which a sudden irritation might arise, and if the word was rapidly passed round that there was a spy on the premises it was easy to conceive that the man who was, in their view, intruding, might be somewhat seriously hustled. What in the world was the objection which the Solicitor-General had to this most innocent Amendment? His answer was practically that in order to obtain entrance into a club the policeman would have to produce his authority, and that he would at once by that means proclaim to every member of the club that he was a policeman, and every member of the club would be at once aware that if he assaulted him he would incur grave penalties. That really was not the case. The man's authority would be produced at the door of the club; he would then enter, and if it was the case that immediately thereafter he should proclaim to every member that he was a policeman, it was ridiculous not to have him in uniform. What was the good of making a provision that he should be in plain clothes if by proclamation he was to place himself in exactly the same position by the voice as his uniform would place him by the eye? If there was any sense at all in having the policeman not in uniform, obviously there could be no sense in proclaiming to 500 or 600 members that he was a policeman.

MR. CARLILE asked whether the subsection as it now stood did not provide that the police officer must be accompanied by the chief constable. The clause read apparently as if that were the intention.

*MR. CAVE (Surrey, Kingston) said they were dealing with a case where there was a club in which some offence was suspected to be happening. That is, they were dealing on the hypothesis that the club was not above suspicion. It might be that drinking was going on. In that case, to compel the police to go in plain clothes was a very dangerous thing to do. He quite agreed that when the offender knew that the person he was dealing with was a policeman, it was no answer for him to say that the man was in plain clothes, but how extremely easy it was for a man charged with an assault on a constable to say he had not the least idea he was a constable. It was almost impossible to prove that he knew he was a constable. He thought this matter ought to be considered before Report, with a view, if possible, to leaving some discretion to the police. He thought it a great pity that the Amendment on the Paper to leave out the last two lines of the clause, which compelled the officer to go in plain clothes, was not moved. In that case the discretion would be with the chief constable, who in an ordinary case would consider the feelings of the members and send an officer in plain clothes, and who, in a suspicious case, would think it the right thing to send the man in uniform, so that the whole club might know he was a member of the force. Failing some assurance from the Government of that kind, he thought they ought to support the Amendment.

Sir S. EVANS said it was entirely a matter as to whether the people chiefly affected would be more offended by a man in uniform than otherwise, and that being so he would be pleased to make investigations, and see what were the wishes of the clubs in regard to this particular question.

Mr. A. J. BALFOUR (City of London) said he quite accepted the conciliatory manner in which the Solicitor-General had dealt with this matter. The hon. and learned Gentleman would see that the Amendment of his right hon. friend only suggested that the chief constable was to send a man in uniform when he had reason to think that it would not be safe to send him in plain clothes. The presumption was that, where he could go safely in plain clothes, he would go in plain clothes, but, when the Solicitor-General came to think it over, he would see that to compel a chief constable to send him in plain clothes when the chief constable thought it would be dangerous to do so was to restrict the discretion of the chief constable in a manner which was hardly defensible.

Mr. GEORGE ROBERTS said that in this clause they were dealing with inspection. Where they had evidence that irregularities were habitual in the club, he took it that the Solicitor-General would inform them that proceedings would be taken under the Act of 1902. They were dealing with ordinary inspection, not through a raid, in order to get possession of information as to whether such irregularities did exist.

Question put.

The Committee divided:—Ayes, 77; Noes, 197. (Division List No. 341.)

AYES.

Baldwin, Stanley
Balfour,Rt.Hn.A.J.(City Lond)
Banbury, Sir Frederick George
Barrie, H. T. (Londonderry,N.)
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Carlile, E. Hildred
Cave, George
Cawley, Sir Frederick
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Clive, Percy Archer
Cochrane, Hon. Thos. H. A. E.
Courthope, G. Loyd
Craig,Charles Curtis (Antrim,S)
Craig,Captain James(Down,E.)
Craik, Sir Henry
Crosfield, A. H.
Cross, Alexander
Dixon-Hartland,Sir FredDixon
Duncan,Robert (Lanark,Govan
Faber, George Denison (York)
Fardell, Sir T. George
Fletcher, J. S.
Gardner, Ernest
Goulding, Edward Alfred
Gretton, John
Guinness, W.E. (Bury S. Edm.)
Harrison-Broadley, H. B.
Helmsley, Viscount
Hill, Sir Clement
Hogan, Michael
Hope,James Fitzalan(Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Kerry, Earl of
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Lee,Arthur H.(Hants,Fareham
Lockwood, Rt.Hn.Lt.-Col.A.R.
Long,Col.Charles W. (Evesham
Long,Rt.Hn.Walter(Dublin,S)
Lonsdale, John Brownlee
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
MacCaw, William J. MacGeagh
Magnus, Sir Philip
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm.G. (Petersfield)
Nolan, Joseph
Oddy, John James
Pease,Herbert Pike(Darlington
Percy, Earl
Powell, Sir Francis Sharp
Rasch, Sir Frederic Carne
Ratcliff, Major R. F.
Rawlinson,John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Renwick, George
Roberts, S. (Sheffield,Ecclesall)
Ronaldshay, Earl of
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Sassoon, Sir Edward Albert
Smith, Abel H. (Hertford,East)
Stanier, Beville
Starkey, John R.
Thornton, Percy M.
Walker, Col.W.H. (Lancashire)
Watt, Henry A.
Wilson, A. Stanley (York,E.R.)
Wyndham, Rt. Hon. George
Young, Samuel

Tellers for the Ayes—Viscount Valentia and Lord Balcarres.

NOES.

Acland, Francis Dyke
Adkins, W. Ryland D.
Agar-Robartes, Hon. T. C. R.
Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Baker, Joseph A. (Finsbury,E.)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst

Mr. Cave.

Beale, W. P.
Berridge, T. H. D.
Bethell, T. R. (Essex, Maldon)
Black, Arthur W.
Bowerman, C. W.
Brace, William
Branch, James
Brigg, John
Brocklehurst, W. B.
Brooke, Stopford
Brunner,RtHnSirJ.T.(Cheshire
Bryce, J. Annan
Buxton, Rt.Hn.Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Channing, Sir Francis Allston
Cheetham, John Frederick
Clough, William
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins,Sir Wm.J.(S.Pancras,W
Cooper, G. J.
Corbett,C H (Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Crooks, William
Curran, Peter Francis
Davies,David(Montgomery Co
Davies, M. Vaughan-(Cardigan
Davies, Timothy (Fulham)
Dickinson,W.H.(St.Pancras, N
Duncan, J. H. (York, Otley)
Erskine, David C.
Essex, R. W.
Esslemont, George Birnie
Evans, Sir Samuel T.
Ferens, T. R.
Foster, Rt. Hon. Sir Walter
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Glendinning, R. G.
Gooch, George Peabody (Bath)
Grant, Corrie
Greenwood, G. (Peterborough)
Griffith, Ellis J.
Gurdon,RtHn.SirW.Brampton
Harcourt,RtHn.L. (Rossendale
Harcourt, Robert V. (Montrose
Hardie,J.Keir(Merthyr Tydvil)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harvey, W. E.(Derbyshire,N.E
Haslam, Lewis (Monmouth)
Hedges, A. Paget
Helme, Norval Watson
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert,Col.Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Horniman, Emslie John
Horridge, Thomas Gardner
Hudson, Walter
Hutton, Alfred Eddison
Jacoby, Sir James Alfred
Jardine, Sir J.
Jones,Sir D.Brynmor (Swansea
Jones, Leif (Appleby)
Kearley, Sir Hudson E.
Kekewich, Sir George
Lamb, Ernest H. (Rochester)
Lamont, Norman
Layland-Barratt, Sir Francis
Leese,Sir Joseph F.(Accrington
Lever,A.Levy (Essex,Harwich)
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald,J.M.(Falkirk B'ghs)
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
M'Callum, John M.
Mallet, Charles E.
Mansfield, H. Rendall(Lincoln)
Marnham, F. J.
Menzies, Walter
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Murray,Capt.HnA.C.(Kincard.)
Murray, James (Aberdeen, E.)
Myer, Horatio
Napier, T. B.
Nicholls, George
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
O'Donnell, C. J. (Walworth)
O'Grady, J.
Partington, Oswald
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Pickersgill, Edward Hare
Pirie, Duncan V.
Ponsonby, Arthur A. W. H.
Priestley,W.E.B. (Bradford,E.)
Pullar, Sir Robert
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Rees, J. D.
Richards,T. F. (Wolverh'mpt'n
Richardson, A.
Ridsdale, E A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson,Sir G.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rose, Charles Day
Russell, Rt. Hon. T. W.
Samuel, Herbert L. (Cleveland)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann,Sir C. E.(Manchester)
Sears, J. E.
Seaverns, J. H.
Shaw, Rt. Hon. T. (Hawick,B.)
Shipman, Dr. John G.
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Stanger, H. Y.
Stanley,Hn. A. Lyulph(Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Summerbell, T.
Sutherland, J. E.
Tennant, H. J. (Berwickshire)
Thomas,Abel (Carmarthen, E.)
Thorne,G.R.(Wolverhampton)
Thorne, William (West Ham)
Toulmin, George
Ure, Alexander
Verney, F. W.
Ward, John (Stoke upon Trent)
Ward, W.Dudley(Southampton
Wardle, George J.
Wason,Rt.Hn.E.(Clackmannan
Wason,John Cathcart (Orkney)
Waterlow, D. S.
Wedgwood, Josiah C.
White,J.Dundas(Dumbart'nsh)
White, Luke (York, E.R.)
Whitley, John Henry (Halifax)
Whittaker,RtHn.Sir ThomasP.
Williams, Osmond (Merioneth)
Wills, Arthur Walters
Wilson, J. W. (Worcestersh.N.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon

TELLERS FOR THE NOES—Mr. Joseph Pease and Mr. Herbert Lewis.

Question proposed, "That the clause, as amended, stand part of the Bill."

*MR. BOTTOMLEY (Hackney, S.) said he opposed the clause as it stood on the ground that it violated to the utmost extent the doctrine of individual liberty and of equality before the law, which, until he entered that House, he thought it was the special prerogative of the Liberal Party to protect. Under the clause as it now stood, they had the fact that a policeman of a certain rank, provided he received the authority of a justice of the peace, might enter the premises of a club, and, having entered, make such inspection and inquiries as he thought fit for the purpose of satisfying his superior officers as to how that club was conducted. This clause, if it was put forward in the interests of good clubs, was absolutely useless. If it was put forward as non-class legislation, it was an absolute farce, because no justice of the peace, under any circumstances, would give the policemen permission to enter such a club as the Carlton or the Reform, of one or other of which he was probably a member; he would think it was so ridiculous to say that anything wrong went on there. Further, he would press on the Committee that under the provisions of the Act of 1902, to which not half enough attention had been given in these discussions, there was ample power to cover everything which the Solicitor-General sought to effect by this clause. Under that Act, first of all, they had the list of grounds on which a club for misconduct could be struck off the register. Then they had the provision that, if a justice of the peace were satisfied that any of those grounds were being infringed, a search warrant might be granted, and the police officer, if necessary by the use of force, might enter that club and make inquiries. He submitted that, as a matter of law, there was no difference between the grounds of misconduct in the present Bill and those contained in the Act of 1902, except that this Bill made it an offence that the club should be used mainly for drinking purposes. That was the only additional misconduct on the part of the club as compared with the grounds given in the Act of 1902. Under that Act the words were—

> "If the club be used for any unlawful purpose," or "if frequent drunkenness took place."

whereas under the Bill, the words were—

> "If the club be used mainly for drinking purposes."

Being unlicensed premises, any magistrate would hold, he submitted with deference and some confidence, that to use unlicensed premises in the guise of a club "mainly for drinking purposes" would be using that club for an "unlawful purpose." The Solicitor-General smiled.

SIR S. EVANS: I shook my head.

*MR. BOTTOMLEY said there was a good deal in that. He had heard before now in the High Court doctrines set up which learned Gentlemen seemed to think improbable. Leaving legal and technical definitions on one side, he would remind the Committee of the strength of the words of the Act of 1902—

> "If a justice is satisfied by information on oath"—

—a very necessary provision—

> "that there is reasonable ground for supposing that any club is carried on so to as constitute a ground for striking it off the register" etc.—

he might grant a search warrant. Surely this would cover the case of systematic drinking as the main object of the club. The section went on to say that the warrant might be executed, if necessary, by force. What case had been made for adding to that power under the law? What ground had been suggested to the Committee that at the present moment any club in this country, certainly any club in London, was so conducted that the provisions of the Act of 1902 were not adequate? There had been no such suggestion at all. Just see how it would work. A man might be turned out of a club in the constituency which he represented, and where there were more clubs than in any other Metropolitan constituency; and he knew how strict the committees of those clubs were in their endeavour to keep them free from disorderly conduct and disreputable membership. They frequently expelled members. If a man were expelled on the ground of his being an undesirable member, under this section he would have a grand opportunity of getting a little of his own back. He would go off to the policeman or to the superintendent, and make his complaint. To the superintendent it was the easiest thing in the world; he did not require a sworn information nor any evidence; he listened to the plausible *ex parte* statement of the disaffected ex-club-member, and then went off to the justice. Again, how easy it was to get the authority of the justice.

If he was a strong temperance man, obviously he would say that it was a case in which drinking was going on, and the club ought to be suppressed. If he happened to be a brewer, obviously he would say that this club was competing with his public-houses, and he would grant a permit. So there would be no trouble in getting authority. It must be borne in mind that they had already arranged by the Bill that once a year every club was to have its membership, its conduct, and its position reviewed by the judicial tribunal, and not by the licensing justices. If once a year the club got a certificate of good character from a Court of Law, if the law as it at present stood said that a club which was used for unlawful purposes, or any of the disqualifying purposes under the Act of 1902, might be raided by force, what more did they want, in the interests of *bona fide* clubs? There seemed to be a general consensus of opinion on the part of the Committee that *bona fide* clubs should not be discouraged, but encouraged, if they were properly conducted. This section was inimical to every well-conducted club in the Metropolis. It was all very well for the hon. Member for Barnard Castle to say that these modifications were acceptable to the clubs, but the members of clubs generally were up in arms against the idea that the private life of their clubs should be liable to be invaded by a police officer, whether in plain clothes or in uniform. They regarded it as a matter which took away all sense of security. Every one of those desirable adjuncts of club life—athletic associations, provident funds, sick funds—which depended on annual subscriptions of members, would automatically come to an end. He objected to this clause on the ground that it was a gratuitous and uncalled for interference with the liberty of club life. Above all things, it would only affect the working-men's club. It was no good for them to pretend there or outside that it was equally applicable to West-End clubs. They would never get a constable authorised to enter any fashionable West-End club. They would easily get it in the case of any working men's club, and especially at the instance of disaffected ex-members of the clubs. He earnestly begged the Solicitor-General, though he knew it was more or less waste of breath and energy to go into the division lobbies, to consider whether, from the point of view of the Liberal Party, it was not a suicidal thing to set up in arms against them the whole of the working men's clubs of the country. They were their only refuge until this Bill was produced, against the antagonism of the licensing trade. Now, they had made them join hands, so far as this Bill was concerned, and they had club members and licensed victuallers united to oppose this Bill. If the Liberal Party thought that was a desirable course, they would in their wisdom adopt it. For his part, representing a club constituency, and still having some glimmering recollection of the old doctrines of individual liberty and freedom that used to be the organic foundation of their faith, he strenuously opposed the introduction of any such clause as this into any Bill, and he should do his utmost to make quite clear that he, for one, still believed in the liberty of the subject, and was an opponent of any of this grandmotherly interference, which only tended to sap the self-reliance of the people of the country.

*MR. CARLILE said he wished to raise a small drafting point. He thought the word "or" ought to be substituted for the word "and" as the phrase conveyed the impression to any ordinary person that the inspector, whoever he was, must be accompanied by the chief constable. The word "and" was evidently out of place.

SIR S. EVANS said he had looked at that. He did not think it was necessary that the two should go together. It gave power to the one and to the other.

MR. A. J. BALFOUR said the hon. Member for Hackney had asked a question to which no answer had been vouchsafed by the Government. He would endeavour to give the answer. The hon. Member had asked why, since practically the Act of 1902 had given all the effective power they wanted to deal with clubs, these complicated and irritating conditions were introduced. The answer obviously was this. It was quite true that the Act of 1902 did all that was necessary to deal with clubs. It was quite true that every provision in this Bill dealing with clubs was of a kind which legitimately irritated the members of clubs but did nothing to protect the public against the unlicensed growth of bogus clubs. Though that was absolutely true, nevertheless it was the fact that even this Government could not deal in a drastic manner with the suppression of licences without appearing to deal also with the question of clubs. Though they had not succeeded in obviating in any degree the uncontested evils that would arise from driving people from the public-houses to the clubs, they had at all events pretended to do something and had, therefore, passed the futile and irritating measures of which this clause contained so many examples.

Sir S. EVANS said that he did not agree that there was no difference between these provisions and the Act of 1902. It was not the law at the present time that a club if conducted mainly for drinking was used for unlawful purposes. If it was not a club, they were selling liquor on unlicensed premises, but if it was a club, the amount of drinking that went on there did not matter. Frequent drunkenness was dealt with under the Act of 1902, but it was no offence for anybody to get drunk in his club so long as he remained there.

Mr. BOTTOMLEY: That is a statutory offence under Section 23 of the Act.

Sir S. EVANS: That is entirely wrong. It is no offence on the part of the man; it is a ground for striking off the club.

*Mr. CAVE Does the Bill make it an offence on the part of the man?

Sir S. EVANS said he had never said that it did. He would not make any answer as to the effect of the measure on the Liberal Party. That was a matter which was pertinent on the Second Reading, and possibly upon some clauses in Committee, but it was not exclusively pertinent to this clause. He preferred to deal with the clauses and Amendments as they came to them, and not to deal with them as if they were Second Reading discussions. The right hon. Gentleman opposite, who had kindly offered to make an answer for him to the hon. Member for Hackney, whom he had so often followed into the division lobby on this measure, had said they did nothing more under the provisions of this Bill to deal with the evils which would arise, and which apparently existed in clubs, than was done under the Act of 1902. If the right hon. Gentleman thought that everything that was necessary was done under the Act of 1902, away went all his contentions that by the reduction of public-houses they were creating a much greater evil. They attached very great importance to the provision regarding the use of clubs mainly for drinking purposes. That gave a latitude to the justices who would act judicially when they interpreted it, and if there were nothing else in the provisions dealing with clubs in this Bill which was not in the Act of 1902, that alone was sufficient authority for him to ask the Committee to pass the clause. It dealt only with inspection which they thought was necessary in some cases where perhaps it was not justifiable to apply for a search warrant. They provided proper safeguards, as had been admitted, and they were dealing not merely with existing clubs, but with clubs that were going to exist in future, and it was a right and wise provision to enable periodic inspection to take place by the officer whom they had provided for the purpose. The hon. Member for Hackney asked why they did that when there was an opportunity of objecting to the renewal of the club each January. What was the use of giving an opportunity of objecting to the club if they withheld from the police officer the power of inspection? It was for the very purpose of getting information, to which it might be useful to direct the attention of the justices, that they thought this power was necessary and desirable. Irritation was not the intention, and it would not be the effect. It was for the purpose of seeing whether things were going on on the club premises which it would be right to bring to the attention of the justices.

MR. RAWLINSON (Cambridge University) asked if they had not now arrived at the time when every person who had tried to keep an open mind on the whole of this Bill must come to the conclusion that in dealing with this most important question of clubs the Government were deliberately giving them what was nothing more or less than an insult. It was idle to attack public-houses as they had done when they were simply substituting clubs for "pubs." Unless they made an effort to deal with the club question the rest of the Bill was a mere farce and a delusion. The Solicitor-General had tried to differentiate the new powers which the Bill was to give. He had said that under the Act of 1902 it was not an offence for a man to be drunk on his club premises. It was not an offence under this Bill.

SIR S. EVANS: I did not say it was.

MR. RAWLINSON asked why, then, the Solicitor-General instanced it. Under the Act of 1902 if drunkenness was allowed it was an offence against the club. It remained so still. What possible addition had this Bill made except these extraordinary words "used mainly as a drinking club," which he had tried to get made more specific and more detailed, but the Government would not have it? Was it not merely a shop window business? He should certainly vote against this particular clause, because it was an absolute delusion and a sham. Could they imagine anything more farcical? They sent a police constable into a club. What was he to do—this man without uniform but with regulation boots? He was to walk into any club, and if he found a man drunk there he could not do anything. It was a perfect insult to the club to start with, and it was a perfect farce and a delusion that he could do nothing when he got inside but simply remain there—an annoyance to the members. It had been pointed out time after time that under the Act of 1902, if there was any real belief that anything illegal was going on, there was nothing easier than to get a search warrant, and that power was used in the case of gambling clubs in the West End as well as in the East End. This Bill lent no sort of assistance to the present methods of dealing with clubs. He had voted with the Government on many of these club clauses, but he should certainly oppose as strongly as he could such ridiculous suggestions as these, which were a mere insult to clubs and to the Committee to whom they were suggested. No one could believe it was in the least likely to be an adequate section or tend to temperance in any way.

MR. LYTTELTON said he proposed to make two or three remarks in order to obtain from the Solicitor-General a precise answer, if possible, to the question put by the hon. Member for Hackney, who had stated in point of fact that Section 28 of the 1902 Act did everything for the protection of the public against drinking clubs that was done by this Bill. His right hon. friend had enforced that contention. The Solicitor-General had said that the Government, and he himself, attached immense importance to the expression in Section 37 of this Bill "to be used mainly as a drinking club," and he gathered there was a belief that there was greater latitude and elasticity for justices to make decisions adverse to clubs under those words than under any words in the section of the Act of 1902. Would the Solicitor-General say what additional latitude and elasticity would be given to the justices by the use of the expression "used mainly as a drinking club" that was not conferred by the sections which he would read? Under the Act of 1902 a club might be struck off—

> "If it is not conducted in good faith as a club, if persons who are not members are habitually admitted to the club merely for the purpose of obtaining intoxicating liquor, and if there is frequent drunkenness on the club premises."

What possible latitude or elasticity existed for justices under Section 37 which did not exist under those three sub-clauses of Section 28? He would be very glad if the Solicitor-General could answer that question clearly, because in his opinion if it was not answered satisfactorily it was perfectly obvious that this clause and Part IV. of the Bill were an elaborate pretence. He awaited the hon. and learned Gentleman's answer before he said it was an elaborate pretence, but if there was no satisfactory answer he should certainly say it was.

Sir S. EVANS said he would reply directly, and he hoped clearly, to the points which had been raised. He did not need to deal with the sub-head applying to the supplying of intoxicating liquors to non-members, and he would confine himself to the question of premises not conducted in good faith as a club. A club was an association of people who bought their drink and food in the club. A club would be no less a club although its sole object was to distribute drink amongst its members. [Opposition Cries of "Oh!"] The phrase about "conducted in good faith" referred to clubs which pretended to be clubs belonging to members, but which were proprietary clubs. As to "frequent drunkenness," they could not get rid of a club under the clause of the Act of 1902 unless a bench of magistrates could be persuaded that not only drunkenness, but frequent drunkenness occurred. There could be a constant supply of drink without drunkenness, and there could be drunkenness without frequent drunkenness. He would give a concrete case. Supposing there was a club which consisted only of a bar and a room for the steward. It would be obvious that such a club existed solely as a drinking club; but they had no power under the Act of 1902 to get rid of a club of that kind.

Mr. LYTTELTON: Yes, they could under subsection 2 of Section 28.

Sir S. EVANS: Did the right hon. Gentleman think that a club could be got rid of under the Act of 1902 if it could not be proved that there was frequent drunkenness, and not merely on the ground that the existence of the club was due to drinking?

Mr. LYTTELTON said that if the club had only a bar, it would be liable to be struck off under Section 28, sub-head (2) of the Act of 1902, for the Act provided that for the purpose of determining whether it was conducted in good faith as a club, regard should be had to the nature of the premises. Manifestly, if the club premises consisted only of a bar and a steward's room they would be hit under that clause.

Sir S. EVANS said he entirely disagreed with the right hon. Gentleman, and he challenged him to produce a single instance where a club had been closed if there had been nothing in the nature of frequent drunkenness. He would put to the Committee another case. Supposing they had a magnificent pile of buildings like the Carlton Club, to which no objection could be made as premises, supposing the place was big enough for a coffee-room, smoking-room, and so forth, but nothing was done in those premises and only one room was used for the purpose of drinking: they could not get rid of a club of that kind under the Act of 1902.

Mr. WILLIAM RUTHERFORD (Liverpool, West Derby): There is no such club in existence.

Sir S. EVANS replied that that was not the question put to him by the right hon. Gentleman. What he wanted to know was, what were the differences between the provisions of this Bill and the Act of 1902. Another difference between the two was that the Government gave the opportunity every year to people, who might know something about these clubs, to object to their renewal. That was not in the Act of 1902. Beyond that the power of inspection was given. That would enable evidence to be collected which would give the justices power to say that the registration of the club should not be renewed.

Lord R. CECIL (Marylebone, E.) said they now understood what the whole purpose of this provision about drinking clubs really meant. It was to deal with a club which had buildings like the Carlton and only used one room for drinking purposes. That was the only instance the Solicitor-General had been able to give.

Sir S. EVANS: I said that it did not matter what the character of the premises might be. The club could not be shut up under the Act of 1902, unless it was proved that there was frequent drunkenness.

LORD R. CECIL said the right hon. Gentleman the Member for St. George's, Hanover Square, had asked: "Where is the club hit by your words which was not hit by our words under the Act of 1902?" What did "mainly used as a drinking club" mean? Personally, he regarded that provision as a matter of the greatest possible danger. He did not know what those words meant, and he did not think any hon. Member opposite did. Was it to be a mere matter of chance for the justices to determine what they meant? Just after this Bill was introduced he was asked to attend a meeting of a non-political club in his constituency, the members of which were mainly Radicals, in order that he might hear their views about the Bill. One and all of those who spoke singled out this clause as the most objectionable of all. They said that any superintendent of police, or police officer, might come into the club and, seeing some member tired out and dozing in the corner, shake him up to see if he was drunk. They said: "You will not see the police doing that in the Reform Club." He told them he had great confidence in the police; but even in that excellent body there were some who were not so good as others, and they said: "What an opportunity it gives for such a man to go in, and, unless he is treated in a proper manner and given all the advantages of the club, to make an unfair report." That was the kind of objection they made, and it was futile for the Solicitor-General to say that no hardship would exist or was apprehended by working men. He was sure that his constituents—men who voted against him at his election—would not be satisfied with the modifications which had been made in this clause. The Committee ought to be careful how they assented to it. When the Solicitor-General was challenged to show what this inspection was going to do in enforcing temperance, he replied that it would enable them to see which were drinking clubs, and when the hon. and learned Gentleman was asked what were drinking clubs, he could only give the ridiculous instance he had given that afternoon.

MR. WILLIAM RUTHERFORD said the main objection he had to this clause was that it would not apply to the clubs of one class of people, but it would apply in a most objectionable manner to the clubs of the lower section of the community. That was neither English nor fair, and it was treating one class of society in one way and another class in another way.

Question put.

The Committee divided:—Ayes, 295; Noes, 86. (Division List No. 342.)

AYES.

Acland, Francis Dyke
Adkins, W. Ryland D.
Agar-Robartes, Hon. T. C. R.
Agnew, George William
Ainsworth, John Stirling
Allen, Charles P. (Stroud)
Baker, Joseph A. (Finsbury, E.)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beaumont, Hon. Hubert
Berridge, T. H. D.
Bethell, T. R. (Essex, Maldon)
Black, Arthur W.
Brace, William
Branch, James
Bridgeman, W. Clive
Brocklehurst, W. B.
Brunner, J. F. L. (Lancs., Leigh)
Brunner, Rt Hn Sir J. T (Cheshire
Bryce, J. Annan
Buchanan, Thomas Ryburn
Burns, Rt. Hon. John
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Channing, Sir Francis Allston
Cheetham, John Frederick
Churchill, Rt. Hon. Winston S.
Clough, William
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W
Cooper, G. J.
Corbett, C H. (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth)
Crooks, William
Cross, Alexander
Curran, Peter Francis
Davies, M. Vaughan- (Cardigan
Davies, Timothy (Fulham)
Dickinson, W. H. (St. Pancras, N
Dobson, Thomas W.
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Erskine, David C.
Essex, R. W.
Esslemont, George Birnie
Evans, Sir Samuel T.
Faber, G. H. (Boston)
Ferens, T. R.
Foster, Rt. Hon. Sir Walter
Fullerton, Hugh
Gibb, James (Harrow)
Glen-Coats, Sir T. (Renfrew, W.
Glendinning, R. G.
Gooch, George Peabody (Bath)
Grant, Corrie
Greenwood, G. (Peterborough)
Griffith, Ellis J.
Gurdon, Rt Hn. Sir W. Brampton
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardie, J. Keir (Merthyr Tydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Harvey, W. E. (Derbyshire, N. E.

Haslam, Lewis (Monmouth)
Hedges, A. Paget
Helme, Norval Watson
Henderson, Arthur (Durham)
Henderson,J.M.(Aberdeen,W.)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon.,S.
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hodge, John
Holland, Sir William Henry
Hooper, A. G.
Horridge, Thomas Gardner
Hudson, Walter
Hutton, Alfred Eddison
Jackson, R. S.
Jacoby, Sir James Alfred
Jardine, Sir J.
Jones,Sir D.Brynmor (Swansea
Jones, Leif (Appleby)
Joynson-Hicks, William
Kekewich, Sir George
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lamont, Norman
Layland-Barratt, Sir Francis
Leese,Sir Joseph F.(Acrington)
Lever,A.Levy (Essex,Harwich)
Lloyd-George, Rt. Hon. David
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald,J.M. (Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
M'Callum, John M.
M'Laren, Sir C. B. (Leicester)
M'Micking, Major G.
Mallet, Charles E.
Mansfield, H. Rendall (Lincoln)
Marks,G.Croydon (Launceston)
Marnham, F. J.
Menzies, Walter
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morton, Alpheus Cleophas
Murray, James (Aberdeen, E.)
Myer, Horatio
Nicholls, George
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
O'Donnell, C. J. (Walworth)
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse
Philipps, Owen C. (Pembroke)
Pirie, Duncan V.
Ponsonby, Arthur A. W. H.
Pullar, Sir Robert
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Rees, J. D.
Richards, T. F.(Wolverh'mpt'n
Richardson, A.
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson,SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rose, Charles Day
Russell, Rt. Hon. T. W.
Samuel, Herbert L. (Cleveland)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Sears, J. E.
Seaverns, J. H.
Shaw, Rt.Hon. T. (Hawick B.)
Shipman, Dr. John G.
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Stanger, H. Y.
Stanley,Hn.A. Lyulph (Chesh.)
Stewart, Halley (Greenock)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Summerbell, T.
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thomas, Abel (Carmarthen, E.
Thomasson, Franklin
Thorne, G. R. (Wolverhampton
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Ward, John (Stoke upon Trent)
Ward,W.Dudley(Southampton
Wardle, George J.
Wason,RtHn.E.(Clackmannan
Wason,John Cathcart (Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White,J.Dundas (Dumbart'nsh
White, Luke (York, E.R.)
Whitley, John Henry (Halifax)
Whittaker,RtHn.Sir ThomasP.
Wiles, Thomas
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters
Wilson, Henry J. (York, W.R.)
Winfrey, R.
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE AYES—MR. Joseph Pease and Mr. Herbert Lewis.

NOES.

Anstruther-Gray, Major
Arkwright, John Stanhope
Aubrey-Fletcher,Rt.Hn.Sir H.
Balcarres, Lord
Baldwin, Stanley
Balfour,Rt.Hn.A.J.(CityLond)
Banbury, Sir Frederick George
Barrie,H. T. (Londonderry,N.)
Bignold, Sir Arthur
Bowerman, C.W.
Bowles, G. Stewart
Brooke, Stopford
Butcher, Samuel Henry
Carlile, E. Hildred
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil,Lord R. (Marylebone, E.)
Clive, Percy Archer
Cochrane, Hon. Thos. H. A. E.
Courthope, G. Loyd
Craig,Charles Curtis(Antrim,S.
Craig,Captain James(Down,E.)
Craik, Sir Henry
Dixon-Hartland,Sir Fred Dixon
Duncan,Robert (Lanark,Govan
Fardell, Sir T. George
Fletcher, J. S.
Gardner, Ernest
Goulding, Edward Alfred
Gretton, John
Guinness, Hon. R. (Haggerston
Guinness,W. E. (Bury S. Edm.)
Harris, Frederick Leverton
Harrison-Broadley, H. B.
Helmsley, Viscount
Hill, Sir Clement
Hills, J. W.
Houston, Robert Paterson
Hunt, Rowland
Kerry, Earl of
Kimber, Sir Henry
Lee,Arthur H.(Hants,Fareham
Lockwood,Rt.Hn.Lt.-Col.A.R.
Long,Col.Charles W. (Evesham
Long,Rt.Hn.Walter (Dublin,S)
Lonsdale, John Brownlee
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
MacCaw, William J. MacGeagh
M'Arthur, Charles
Magnus, Sir Philip
Mason, A. E. W. (Coventry)
Morrison-Bell, Captain
Nicholson, Wm.G.(Petersfield)
Nolan, Joseph
Oddy, John James
O'Grady, J.
Pease,Herbert Pike(Darlington
Percy, Earl
Pickersgill, Edward Hare
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Ratcliff, Major R. F.
Rawlinson,John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Renwick, George
Roberts, S. (Sheffield,Ecclesall)
Ronaldshay, Earl of
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell

Sassoon, Sir Edward Albert
Stanier, Beville
Starkey, John R.
Steadman, W. C.
Talbot,Rt.Hn.J.G.(Oxf'd Univ
Thorne, William (West Ham)
Thornton, Percy M.
Valentia, Viscount
Walker, Col. W. H. (Lancashire
Wilson,A. Stanley (York,E.R.)
Wilson, W. T. (Westhoughton)
Wortley, Rt. Hon. C. B. Stuart
Wyndham, Rt. Hon. George
Young, Samuel

TELLERS FOR THE NOES—Mr. Bottomley and Mr. George D. Faber.

Clause 42 :

MR. BLACK (Bedfordshire, Biggleswade) moved an Amendment to insert after "club" the following words, "after the hours at which licensed houses are closed in the licensing district in which the club is situated, nor shall intoxicating liquor be supplied in a club." He said that that was the only way in which to secure that all clubs would receive equal treatment. He believed it would remove a legitimate grievance which the licence-holders had at the present time. Clubs were allowed to sell liquor as long as they kept their doors open, and in that way became most unfair competitors with the public-houses in towns and villages. If the Government were anxious to secure real temperance reform, and if the Members of the Opposition desired to co-operate in that object, they would support him in the division lobby.

Amendment proposed—

"In page 20, line 28, after the word 'club,' to insert the words 'after the hours at which licensed houses are closed in the licensing district in which the club is situated, nor shall intoxicating liquor be supplied in a club.'"—(*Mr. Black.*)

Question proposed, "That those words be there inserted."

MR. HERBERT SAMUEL said the Government could not accept the Amendment. They thought that public opinion would not sanction clubs being placed on the same footing as public-houses. The Royal Commission for various reasons drew a clear distinction between the two, and laid it down that a club ought not to be dealt with in the same way as a licensed house.

*MR. LUTTRELL thought this was an extremely important Amendment. This Bill was a Bill to prevent excessive drinking, and to do this the Government were going to close a considerable number of public-houses. One of the objections brought against the Bill generally was that while they were closing public-houses, they were still leaving drinking facilities in other places. That objection had been raised, too, on the ground of the Government treatment not being equal. People might say that while the poorer men would be prevented from getting their drinks in the public-houses, those who could afford to belong to clubs would be able to get what drinks they pleased. This Amendment, if accepted, would get rid of that objection. He could not see that there was any great hardship in saying to clubs that they should not be able to supply drink to their members except at those times when it could be supplied in public-houses. The State had already laid down what, in the interests of the public, those hours should be. In the interest of temperance the Amendment was one which ought to be supported.

Question put.

The Committee divided :—Ayes, 61; Noes, 222. (Division List No. 343.)

AYES.

Agar-Robartes, Hon. T. C. R.
Baring, Godfrey (Isle of Wight)
Barnard, E. B.
Barnes, G. N.
Barrie, H. T. (Londonderry,N.)
Bertram, Julius
Branch, James
Byles, William Pollard
Cameron, Robert
Cecil, Lord R. (Marylebone, E.)
Clough, William
Craik, Sir Henry
Cross, Alexander
Duncan, C. (Barrow-in-Furness
Ferens, T. R.
Fullerton, Hugh
Glendinning, R. G.
Gooch, George Peabody (Bath)
Grant, Corrie
Gurdon,RtHn.Sir W.Brampton
Hardie,J.Keir(Merthyr Tydvil)
Hardy, George A. (Suffolk)
Harvey,W.E.(Derbyshire,N.E.
Henry, Charles S.
Higham, John Sharp
Hodge, John
Hope,James Fitzalan(Sheffield)
Hudson, Walter
Hutton, Alfred Eddison
Jones, Leif (Appleby)
Kincaid-Smith, Captain
Lamb, Ernest H. (Rochester)
Lonsdale, John Brownlee

Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
Macdonald, J. R. (Leicester
Mackarness, Frederic C.
Maclean, Donald
M'Arthur, Charles
Nicholls, George
Nussey, Thomas Willans
Randles, Sir John Scurrah
Rawlinson, John Frederick Peel
Richardson, A.
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Robinson, S.
Rutherford, V. H. (Brentford)
Rutherford, W. W. (Liverpool)
Snowden, P.
Stanley, Hn. A. Lyulph (Chesh.)
Steadman, W. C.
Sutherland, J. E.
Talbot, Rt. Hn. J. G. (Oxf'd Univ
Thorne, William (West Ham)
Verney, F. W.
Walker, Col. W. H. (Lancashire)
Wardle, George J.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
Winfrey, R.

TELLERS FOR THE AYES—Mr. Black and Mr. Luttrell.

NOES.

Acland, Francis Dyke
Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Allen, Charles P. (Stroud)
Anstruther-Gray, Major
Astbury, John Meir
Aubrey-Fletcher, Rt. Hon. Sir H
Baker, Joseph A. (Finsbury, E.)
Balcarres, Lord
Banbury, Sir Frederick George
Barker, John
Barlow, Percy (Bedford)
Barran, Rowland Hirst
Beale, W. P.
Beaumont, Hon. Hubert
Benn, W. (T'w'r Hamlets, S. Geo.
Berridge, T. H. D.
Bethell, T. R. (Essex Maldon)
Bignold, Sir Arthur
Bottomley, Horatio
Bowerman, C. W.
Bowles, G. Stewart
Brace, William
Bridgeman, W. Clive
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Brunner, Rt Hn Sir J. T (Cheshire
Bryce, J. Annan
Buchanan, Thomas Ryburn
Burns, Rt. Hon. John
Butcher, Samuel Henry
Buxton, Rt. Hn. Sydney Charles
Carlile, E. Hildred
Carr-Gomm, H. W.
Cave, George
Cawley, Sir Frederick
Cecil, Evelyn (Aston Manor)
Channing, Sir Francis Allston
Churchill, Rt. Hon. Winston S.
Clive, Percy Archer
Cobbold, Felix Thornley
Cochrane, Hon. Thos. H. A. E.
Collins, Sir Wm. J. (S. Pancras, W
Cooper, G. J.
Corbett, C H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Courthope, G. Loyd
Craig, Charles Curtis (Antrim, S.)
Craig, Herbert J. (Tynemouth)
Craig, Captain James (Down, E.)
Crooks, William
Crosfield, A. H.
Curran, Peter Francis
Davies, M. Vaughan- (Cardigan
Davies, Timothy (Fulham)
Dickinson, W. H. (St. Pancras, N
Dobson, Thomas W.
Duncan, J. H. (York, Otley)
Duncan, Robert (Lanark, Govan
Erskine, David C.
Essex, R. W.
Esslemont, George Birnie
Evans, Sir Samuel T.
Faber, George Denison (York)
Faber, G. H. (Boston)
Fardell, Sir T. George
Fletcher, J. S.
Foster, Rt. Hon. Sir Walter
Gardner, Ernest
Glen-Coats, Sir T. (Renfrew, W.
Goulding, Edward Alfred
Greenwood, G. (Peterborough)
Gretton, John
Griffith, Ellis, J.
Guinness, Hon. R. (Haggerston)
Guinness, W. E. (Bury S. Edm.)
Haldane, Rt. Hon. Richard B.
Harcourt, Rt Hn. L. (Rossendale
Harcourt, Robert V. (Montrose
Harmsworth, Cecil B. (Worc'r)
Harrison-Broadley, H. B.
Hart-Davies, T.
Haslam, Lewis (Monmouth)
Hedges, A. Paget
Helmsley, Viscount
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.)
Herbert, Col. Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Hill, Sir Clement
Hills, J. W.
Holland, Sir William Henry
Hooper, A. G.
Horniman, Emslie John
Horridge, Thomas Gardner
Houston, Robert Paterson
Hunt, Rowland
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, Sir James Alfred
Jardine, Sir J.
Jones, Sir D. Brynmor (Swansea)
Kekewich, Sir George
Kerry, Earl of
Kimber, Sir Henry
Laidlaw, Robert
Lamont, Norman
Layland-Borratt, Sir Francis
Lee, Arthur H. (Hants, Fareham
Leese, Sir Joseph F. (Accrington
Lever, A. Levy (Essex, Harwch)
Lloyd-George, Rt. Hon. David
Lockwood, Rt. Hn. Lt.-Col. A. R.
Long, Col. Charles W. (Evesham)
Lupton, Arnold
Lyell, Charles Henry
Lynch, H. B.
Macnamara, Dr. Thomas J.
M'Callum, John M.
M'Laren, Sir C. B. (Leicester)
M'Micking, Major G.
Magnus, Sir Philip
Mallet, Charles E.
Mansfield, H. Rendall (Lincoln)
Marks, G. Croydon (Launceston)
Marnham, F. J.
Massie, J.
Menzies, Walter
Molteno, Percy Alport
Mond, A.
Morpeth, Viscount
Morrison-Bell, Captain
Morton, Alpheus Cleophas
Murray, James (Aberdeen, E.)
Myer, Horatio
Nicholson, Wm. G. (Petersfield)
Norman, Sir Henry
Norton, Capt. Cecil William
Oddy, John James
O'Donnell, C. J. (Walworth)
O'Grady, J.
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Percy, Earl
Philipps, Owen C. (Pembroke)
Pirie, Duncan V.
Ponsonby, Arthur A. W. H.
Pullar, Sir Robert
Radford, G. H.
Rainy, A. Rolland
Rasch, Sir Frederic Carne
Ratcliff, Major R. F.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro')
Rees, J. D.
Remnant, James Farquharson
Renton, Leslie
Roberts, S. (Sheffield, Ecclesall)
Robertson, Sir G. Scott (Bradf'rd
Robertson, J. M. (Tyneside)
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Ronaldshay, Earl of
Rose, Charles Day
Russell, Rt. Hon. T. W.
Salter, Arthur Clavell
Samuel, Herbert L. (Cleveland)
Sassoon, Sir Edward Albert

Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Seaverns, J. H.
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer. Sir Albert
Stanger, H. Y.
Stanier, Beville
Starkey, John R.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Summerbell, T.
Tennant, H. J. Berwickshire)
Thomas, Abel (Carmarthen,E.
Thompson,J.W.H.(SomersetE)
Thornton, Percy M.
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Walters, John Tudor
Ward, John(Stoke-upon-Trent)
Ward,W.Dudley(Southampton
Wason,RtHn.E.(Clackmannan
Wason,John Cathcart (Orkney)
Waterlow, D. S.
Watt, Henry A.
White,J.Dundas (Dumbart'nsh
White, Luke (York, E.R.)
Whitley, John Henry (Halifax)
Whittaker,RtHn.Sir ThomasP.
Wiles, Thomas
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters
Wilson,A. Stanley (York,E.R.)
Wilson, W. T. (Westhoughton)
Wood, T. M'Kinnon
Wortley, Rt. Hon. C. B. Stuart-
Wyndham, Rt Hon. George
Young, Samuel
Yoxall, James Henry

TELLERS FOR THE NOES—Mr. Joseph Pease and Mr. Herbert Lewis.

Amendment proposed—

"In page 20, line 29, to leave out from the word 'premises' to the end of line 30."—(*Mr. Herbert Samuel.*)

Amendment agreed to.

Question put, "That the clause, as amended, stand part of the Bill."

The Committee divided :—Ayes, 228 ; Noes, 79. (Division List No. 344.)

AYES.

Acland, Francis Dyke
Adkins, W. Ryland D.
Agar-Robartes, Hon. T. C. R.
Ainsworth, John Stirling
Alden, Percy
Allen, Charles P. (Stroud)
Asquith,Rt.Hn. Herbert Henry
Astbury, John Meir
Baker, Joseph A.(Finsbury, E.)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beaumont, Hon. Hubert
Bellairs, Carlyon
Benn,W.(T'w'r Hamlets,S.Geo.
Berridge, T. H. D.
Bethell, T. R. (Essex, Maldon)
Black, Arthur W.
Bottomley, Horatio
Brace, William
Branch, James
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J.F.L. (Lancs.,Leigh)
Bryce, J. Annan
Buchanan, Thomas Ryburn
Burns, Rt. Hon. John
Buxton, Rt.Hn.Sydney Charles
Byles, William Pollard
Cameron, Robert
Cave, George
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cheetham, John Frederick
Churchill, Rt. Hon. Winston S.
Clough, William
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins,SirWm.J.(S.Pancras,W.
Corbett,C H (Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth)
Crooks, William
Crosfield, A. H.
Curran, Peter Francis
Davies, M. Vaughan- (Cardigan
Davies, Timothy (Fulham)
Dickinson,W.H.(St.Pancras, N.
Dixon-Hartland,Sir FredDixon
Dobson, Thomas W.
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Erskine, David C.
Essex, R. W.
Esslemont, George Birnie
Evans, Sir Samuel T.
Faber, G. H. (Boston)
Ferens, T. R.
Foster, Rt. Hon. Sir Walter
Fullerton, Hugh
Gibb, James (Harrow)
Glen-Coats, Sir T. (Renfrew,W
Glendinning, R. G.
Gooch, George Peabody (Bath)
Grant, Corrie
Greenwood, G. (Peterborough)
Griffith, Ellis J.
Gurdon,Rt.Hn.SirWBrampton
Haldane, Rt. Hon. Richard B.
Harcourt,Rt.Hn.L.(Rossendale
Harcourt, Robert V.(Montrose)
Hardie,J.Keir(Merthyr Tydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Harvey,W.E. (Derbyshire,N.E.
Haslam, Lewis (Monmouth)
Hedges, A. Paget
Henderson, Arthur (Durham)
Henderson, J.M.(Aberdeen,W.)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon.,S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hodge, John
Holland, Sir William Henry
Hooper, A. G.
Horniman, Emslie John
Horridge, Thomas Gardner
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Isaacs, Rufus Daniel
Jacoby, Sir James Alfred
Jardine, Sir J.
Jones,Sir D.Brynmor (Swansea
Jones, Leif (Appleby)
Kekewich, Sir George
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lamont, Norman
Layland-Barratt, Sir Francis
Leese,Sir Joseph F.(Accrington
Lever,A.Levy (Essex,Harwich)
Lloyd-George, Rt. Hon. David
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Lyttelton, Rt. Hon. Alfred
Macdonald, J. R. (Leicester)
Macdonald, J.M.(Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
M'Callum, John M.
M'Laren, Sir C. B. (Leicester)
M'Micking, Major G.
Mallet, Charles E.
Mansfield, H. Rendall (Lincoln)
Marks,G.Croydon (Launceston)
Marnham, F. J.
Massie, J.

Menzies, Walter
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morpeth, Viscount
Morton, Alpheus Cleophas
Murray, James (Aberdeen, E.)
Myer, Horatio
Nicholls, George
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
O'Donnell, C. J. (Walworth)
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Pease, Herbert Pike (Darlington
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pirie, Duncan V.
Ponsonby, Arthur A. W. H.
Pullar, Sir Robert
Radford, G. H.
Rainy, A. Rolland
Rawlinson, John Frederick Peel
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Rees, J. D.
Richards, T. F. (Wolverh'mpt'n
Richardson, A.
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rose, Charles Day
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Salter, Arthur Clavell
Samuel, Herbert L. (Cleveland)
Scarisbrick, T. T. L.
Sears, J. E.
Seaverns, J. H.
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn. A. Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Summerbell, T.
Sutherland, J. E.
Talbot, Rt. Hn. J. G. (Oxf'd Univ.
Taylor, Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thomas, Abel (Carmarthen, E.)
Thomasson, Franklin
Thompson, J. W. H. (Somerset, E
Thorne, G. R. (Wolverhampton)
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Walters, John Tudor
Ward, John (Stoke upon Trent)
Ward, W. Dudley (Southampton
Wardle, George J.
Wason, Rt Hn. E. (Clackmannan
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. Dundas (Dumbart'nsh
White, Luke (York, E.R.)
Whitley, John Henry (Halifax)
Whittaker, Rt Hn. Sir Thomas P.
Wiles, Thomas
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters
Wilson, A. Stanley (York, E.R.)
Wilson, Henry J. (York, W.R.)
Winfrey, R.
Wood, T. M'Kinnon
Wortley, Rt. Hon. C. B. Stuart-
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Joseph Pease and Mr. Herbert Lewis.

NOES.

Anstruther-Gray, Major
Aubrey-Fletcher, Rt. Hon. Sir H
Balcarres, Lord
Baldwin, Stanley
Banbury, Sir Frederick George
Barrie, H. T. (Londonderry, N.)
Bertram, Julius
Bignold, Sir Arthur
Bowerman, C. W.
Bowles, G. Stewart
Bridgeman, W. Clive
Butcher, Samuel Henry
Carlile, E. Hildred
Carr-Gomm, H. W.
Cecil, Lord R. (Marylebone, E.)
Clive, Percy Archer
Cochrane, Hon. Thos. H. A. E.
Cooper, G. J.
Courthope, G. Loyd
Craig, Charles Curtis (Antrim, S.
Craig, Captain James (Down, E.)
Craik, Sir Henry
Cross, Alexander
Duncan, Robert (Lanark, Govan
Faber, George Denison (York)
Fardell, Sir T. George
Fletcher, J. S.
Gardner, Ernest
Goulding, Edward Alfred
Gretton, John
Guinness, Hon. R. (Haggerston)
Guinness, W. E. (Bury S. Edm.)
Harrison-Broadley, H. B.
Helmsley, Viscount
Hill, Sir Clement
Hills, J. W.
Houston, Robert Paterson
Hunt, Rowland
Jackson, R. S.
Kerry, Earl of
Kimber, Sir Henry
King, Sir Henry Seymour (Hull)
Lee, Arthur H. (Hants, Fareham
Lockwood, Rt. Hn. Lt.-Col. A. R.
Long, Col. Charles W. (Evesham
Long, Rt. Hn. Walter (Dublin, S.)
Lonsdale, John Brownlee
Lowe, Sir Francis William
MacCaw, William J. MacGeagh
M'Arthur, Charles
Magnus, Sir Philip
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
Oddy, John James
O'Grady, J.
Percy, Earl
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Ratcliff, Major R. F.
Remnant, James Farquharson
Renton, Leslie
Renwick, George
Roberts, S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Rutherford, W. W. (Liverpool)
Sassoon, Sir Edward Albert
Schwann, C. Duncan (Hyde)
Stanier, Beville
Starkey, John R.
Thorne, William (West Ham)
Thornton, Percy M.
Valentia, Viscount
Walker, Col. W. H. (Lancashire)
White, Patrick (Meath, North)
Wilson, W. T. (Westhoughton)
Wyndham, Rt. Hon. George
Young, Samuel

TELLERS FOR THE NOES—Mr. Evelyn Cecil and Mr. Leverton Harris.

And, it being Five of the clock, the CHAIRMAN proceeded, in pursuance of the Order of the House of the 17th July, successively to put forthwith the Question on the Amendments moved by the Government, of which notice had been given, and the Questions necessary to dispose of the Business to be concluded this day.

Clause 43:

Amendments proposed—

"In page 21, line 10, to leave out from the word 'resolution' to the word 'and' in line 12."

"In page 21, line 14, after the word 'Wales' to insert the words 'with the exception that a majority of two-thirds of the votes given shall be required for the carrying of the resolution or the extinction of all on-licences instead of a bare majority and.'"

"In page 21, line 32, to leave out the word 'a,' and to insert the words 'the necessary.'"—(*Sir S. Evans.*)

Amendments agreed to.

Question put, "That the clause, as amended, stand part of the Bill."

The Committee divided:—Ayes, 224; Noes, 84. (Division List No. 345.)

AYES.

Acland, Francis Dyke
Adkins, W. Ryland D.
Agar-Robartes, Hon. T. C. R.
Ainsworth, John Stirling
Alden, Percy
Allen, Charles P. (Stroud
Asquith, Rt. Hon. Herbert Henry
Astbury, John Meir
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beaumont, Hon. Hubert
Bellairs, Carlyon
Benn, Sir J. Williams (Devonp'rt
Benn, W. (T'w'r Hamlets, S. Geo.
Berridge, T. H. D.
Bethell, T. R. (Essex, Maldon)
Black, Arthur W.
Bowerman, C. W.
Brace, William
Branch, James
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Bryce, J. Annan
Buchanan, Thomas Ryburn
Burns, Rt. Hon. John
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cheetham, John Frederick
Churchill, Rt. Hon. Winston S.
Clough, William
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W
Cooper, G. J.
Corbett, CH (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth)
Crooks, William
Crosfield, A. H.
Curran, Peter Francis
Davies, M. Vaughan-(Cardigan
Davies, Timothy (Fulham)
Dickinson, W. H. (St. Pancras, N.
Ducan, C. (Barrow-in-Furness)
Duncan, J. H. (York, Otley)

Erskine, David C.
Essex, R. W.
Esslemont, George Birnie
Evans, Sir Samuel T.
Faber, G. H. (Boston)
Ferens, T. R.
Foster, Rt. Hon. Sir Walter
Fullerton, Hugh
Gibb, James (Harrow)
Glen-Coates, Sir T. (Renfrew, W.
Glendinning, R. G.
Gooch, George Peabody (Bath)
Grant, Corrie
Greenwood, G. (Peterborough)
Griffith, Ellis J.
Gurdon, Rt Hn. Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardy, George A. (Suffolk)
Hart-Davies, T.
Harvey, W. E. (Derbyshire, N.E.
Haslam, Lewis (Monmouth)
Hedges, A. Paget
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hodge, John
Holland, Sir William Henry
Hooper, A. G.
Horniman, Emslie John
Horridge, Thomas Gardner
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, Sir James Alfred
Jardine, J.
Jones, Sir D. Brynmor (Swansea)
Jones, Leif (Appleby)
Kekewich, Sir George
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lamont, Norman
Layland-Barratt, Sir Francis
Leese, Sir Joseph E. (Accrington
Lever, A. Levy (Essex, Harwich)
Lloyd-George, Rt. Hon. David
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk B'ghs)
Mackarness, Frederic C.

Maclean, Donald
Macnamara, Dr. Thomas J.
M'Callum, John M.
M'Kenna, Rt. Hon. Reginald
M'Laren, Sir C. B. (Leicester)
M'Micking, Major G.
Mallet, Charles E.
Mansfield, H. Rendall (Lincoln
Marks, G. Croydon (Launceston)
Marnham, F. J.
Massie, J.
Menzies, Walter
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morton, Alpheus Cleophas
Murray, James (Aberdeen, E.)
Myer, Horatio
Nicholls, George
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
O'Donnell, C. J. (Walworth)
O'Grady, J.
Pearce, Robert (Staffs, Leek)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pirie, Duncan V.
Ponsonby, Arthur A. W. H.
ullar, Sir Robert
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Rees, J. D.
Richards, T. F. (Wolverh'mpt'n)
Richardson, A.
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Robertson, Sir G. Scott (Bradf'rd
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rose, Charles Day
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Schwann, C. Duncan (Hyde)
Sears, J. E.
Seaverns, J. H.
Shaw, Rt. Hon. (Hawick, B.)
Shipman, Dr. John G.
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie

Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn. A. Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Summerbell, T.
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thomas, Abel (Carmarthen, E)
Thompson, J. W. H. (Somerset, E
Thorne, G. R. (Wolverhampton)
Thorne, William (West Ham)
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Walters, John Tudor
Ward, John (Stoke upon Trent)
Ward, W. Dudley (Southampton
Wardle, George J.
Wason, Rt. Hn. E. (Clackmannan
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. Dundas (Dumbart'nsh.
White, Luke (York, E. R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker, Rt Hn. Sir Thomas P.
Wiles, Thomas
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters
Wilson, Henry J. (York, W. R.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Yoxall, James Henry

Tellers for the Ayes—Mr Joseph Pease and Mr Herbert Lewis.

NOES.

Anstruther-Gray, Major
Arkwright, John Stanhope
Aubrey-Fletcher, Rt. Hn. Sir H.
Balcarres, Lord
Baldwin, Stanley
Banbury, Sir Frederick George
Barnard, G. B.
Barrie, H. T. (Londonderry, N.)
Bertram, Julius
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Butcher, Samuel Henry
Carlile, E. Hildred
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Clive, Percy Archer
Cochrane, Hon. Thos. H. A. E.
Courthope, G. Loyd
Craig, Charles Curtis (Antrim, S)
Craig, Captain James (Down, E.)
Craik, Sir Henry
Cross, Alexander
Dixon-Hartland, Sir Fred Dixon
Duncan, Robert (Lanark, Govan
Faber, George Denison (York)
Fardell, Sir T. George
Fletcher, J. S.
Gardner, Ernest
Goulding, Edward Alfred
Gretton, John
Guinness, Hn. R. (Haggerston)
Guinness, W. E. (Bury S. Edm.)
Harris, Frederick Leverton
Harrison-Broadley, H. B.
Heaton, John Henniker
Helmsley, Viscount
Hill, Sir Clement
Hills, J. W.
Hope, James Fitzalan (Sheffield
Houston, Robert Paterson
Hunt, Rowland
Joynson-Hicks, William
Kerry, Earl of
Kimber, Sir Henry
King, Sir Henry Seymour (Hull)
Lee, Arthur H. (Hants, Fareham
Lockwood, Rt. Hn. Lt.-Col. A. R.
Long, Col. Charles W. (Evesham
Long, Rt. Hn. Walter (Dublin, S)
Lonsdale, John Brownlee
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
MacCaw, William J. MacGeagh
M'Arthur, Charles
Magnus, Sir Philip
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
Oddy, John James
Percy, Earl
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Ratcliff, Major R. F.
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Renwick, George
Roberts, S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Sassoon, Sir Edward Albert
Stanier, Beville
Starkey, John R.
Talbot, Rt. Hn. J. G. (Oxf'd Univ.
Thornton, Percy M.
Walker, Col. W. H. (Lancashire)
Wilson, A. Stanley (York, E. R.)
Wortley, Rt. Hn. C. B. Stuart-
Wyndham, Rt. Hon. George
Young, Samuel

Tellers for the Noes—Viscount Valentia and Mr. Pike Pease.

Clause 44:

Question put, "That the clause stand part of the Bill."

The Committee divided:—Ayes, 230; Noes, 77. (Division List No. 346.)

AYES.

Acland, Francis Dyke
Adkins, W. Ryland D.
Agar-Robartes, Hon. T. C. R.
Ainsworth, John Stirling
Alden, Percy
Allen, Charles P. (Stroud)
Asquith, Rt. Hn. Herbert Henry
Astbury, John Meir
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beaumont, Hon. Hubert
Bellairs, Carlyon
Benn, Sir J. Williams (Devonp'rt
Benn, W. (T'w'r Hamlets, S. Geo)
Berridge, T. H. D.
Bethell, T. R. (Essex, Maldon)
Black, Arthur W.
Bowerman, C. W.
Brace, William
Branch, James
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Brunner, Rt Hn Sir J. T. (Cheshire
Bryce, J. Annan
Buchanan, Thomas Ryburn
Burns, Rt. Hon. John
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cheetham, John Frederick
Churchill, Rt. Hon. Winston S.
Clough, William
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W
Cooper, G. J.

Corbett, C H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crooks, William
Crosfield, A. H.
Curran, Peter Francis
Davies, M. Vaughan- (Cardigan)
Davies, Timothy (Fulham)
Dickinson, W. H. (St. Pancras, N)
Duncan, C. (Barrow-in-Furness)
Duncan, J. H. (York, Otley)
Erskine, David C.
Essex, R. W.
Esslemont, George Birnie
Evans, Sir Samuel T.
Faber, G. H. (Boston)
Ferens, T. R.
Foster, Rt. Hon. Sir Walter
Fullerton, Hugh
Gibb, James (Harrow)
Glen-Coats, Sir T. (Renfrew, W.)
Glendinning, R. G.
Gooch, George Peabody (Bath)
Grant, Corrie
Greenwood, G. (Peterborough)
Griffith, Ellis J.
Gurdon, Rt. Hn Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r.)
Hart-Davies, T.
Harvey, W. E. (Derbyshire, N. E
Haslam, Lewis (Monmouth)
Hedges, A. Paget
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hodge, John
Holland, Sir William Henry
Horniman, Emslie John
Horridge, Thomas Gardner
Hudson, Walter
Hyde, Clarendon
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, Sir James Alfred
Jardine, Sir J.
Jones, Sir D. Brynmor (Swansea)
Jones, Leif (Appleby)
Kekewich, Sir George
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lamont, Norman
Layland-Barratt, Sir Francis
Leese, Sir Joseph F. (Accrington
Lever, A. Levy (Essex, Harwich
Lloyd-George, Rt. Hon. David
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah (Down, S.)
M'Callum, John M.
M'Kenna, Rt. Hon. Reginald
M'Laren, Sir C. B. (Leicester)
M'Micking, Major G.
Mallet, Charles E.
Mansfield, H. Rendall (Lincoln)
Marks, G. Croydon (Launceston)
Marnham, F. J.
Massie, J.
Menzies, Walter
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morton, Alpheus Cleophas
Murray, James (Aberdeen, E.)
Myer, Horatio
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
O'Donnell, C. J. (Walworth)
O'Grady, J.
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pirie, Duncan V.
Ponsonby, Arthur A. W. H.
Pullar, Sir Robert
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro')
Rees, J. D.
Richards, T. F. (Wolverh'mpt'n)
Richardson, A
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Robertson, Sir G. Scott (Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rose, Charles Day
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Sears, J. E.
Seaverns, J. H.
Shaw, Rt. Hn. T. (Hawick, B.)
Shipman, Dr. John G.
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn. A. Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thomas, Abel (Carmarthen, E.)
Thompson, J. W. H. (Somerset, E
Thorne, G. R. (Wolverhampton)
Thorne, William (West Ham)
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Walters, John Tudor
Ward, John (Stoke-upon-Trent)
Ward, W. Dudley (Southampt'n)
Wardle, George J.
Wason, Rt. Hn. E (Clackmannan
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. Dundas (Dumbart'nsh.
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker, Rt Hn. Sir Thomas P.
Wiles, Thomas
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters
Wilson, Henry J. (York, W.R.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Joseph Pease and Mr. Herbert Lewis.

NOES.

Anstruther-Gray, Major
Arkwright, John Stanhope
Aubrey-Fletcher, Rt. Hon. Sir H
Baldwin, Stanley
Banbury, Sir Frederick George
Barrie, H. T. (Londonderry, N.)
Bertram, Julius
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Carlile, E. Hildred
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Clive, Percy Archer
Cochrane, Hon. Thos. H. A. E.
Courthope, G. Loyd
Craig, Charles Curtis (Antrim, S.
Craig, Captain James (Down, E.)
Craik, Sir Henry
Cross, Alexander
Dixon-Hartland, Sir Fred Dixon
Duncan, Robert (Lanark, Govan
Faber, George Denison (York)
Fardell, Sir T. George
Fletcher, J. S.
Gardner, Ernest

Goulding, Edward Alfred
Gretton, John
Guinness, Hon. R. (Haggerston)
Guinness, W. E. (Bury S. Edm.)
Harris, Frederick Leverton
Harrison-Broadley, H. B.
Heaton, John Henniker
Helmsley, Viscount
Hill, Sir Clement
Hills, J. W.
Hope, James Fitzalan (Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Joynson-Hicks, William
Kerry, Earl of
Kimber, Sir Henry
King, Sir Henry Seymour (Hull)
Lee, Arthur H. (Hants, Fareham)
Lockwood, Rt. Hn. Lt.-Col. A. R.
Long, Col. Charles W. (Evesham)
Long, Rt. Hn. Walter (Dublin, S.)
Lonsdale, John Brownlee
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
MacCaw, William J. MacGeagh
M'Arthur, Charles
Magnus, Sir Philip
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Ratcliffe, Major R. F.
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Roberts, S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Sassoon, Sir Edward Albert
Stanier, Beville
Talbot, Rt. Hn. J. G. (Oxf'rd Univ.
Thornton, Percy M.
Walker, Col. W. H. (Lancashire)
Wilson, A. Stanley (York, E. R.)
Wortley, Rt. Hon. C. B. Stuart-
Wyndham, Rt. Hon. George
Young, Samuel

TELLERS FOR THE NOES—Viscount Valentia and Mr. Pike Pease.

Clause 45:

Amendment proposed—

"In page 22, line 34, to leave out from the word 'they' to the word 'and' in line 36, and insert the words 'were buildings newly erected.'"—(*Sir S. Evans.*)

Question put, "That the Amendment be made."

The Committee divided:—Ayes, 226; Noes, 73. (Division List No. 347.)

AYES.

Acland, Francis Dyke
Adkins, W. Ryland D.
Agar-Robartes, Hon. T. C. R.
Ainsworth, John Stirling
Alden, Percy
Allen, Charles P. (Stroud)
Asquith, Rt. Hn. Herbert Henry
Astbury, John Meir
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beaumont, Hon. Hubert
Bellairs, Carlyon
Benn, Sir J. Williams (Devonport
Benn, W. (T'w'r Hamlets, S. Geo.
Berridge, T. H. D.
Bethell, T. R. (Essex, Maldon)
Black, Arthur W.
Bowerman, C. W.
Brace, William
Branch, James
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Bryce, J. Annan
Buchanan, Thomas Ryburn
Burns, Rt. Hon. John
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cheetham, John Frederick
Churchill, Rt. Hon. Winston S.
Clough, William
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W
Cooper, G. J.
Corbett, C H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth)
Crooks, William
Crosfield, A. H.
Curran, Peter Francis
Davies, M. Vaughan- (Cardigan
Davies, Timothy (Fulham)
Dickinson, W. H. (St. Pancras, N
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Erskine, David C.
Essex, R. W.
Esslemont, George Birnie
Evans, Sir Samuel T.
Faber, G. H. (Boston)
Ferens, T. R.
Foster, Rt. Hon. Sir Walter
Fullerton, Hugh
Gibb, James (Harrow)
Glen-Coats, Sir T. (Renfrew, W.
Glendinning, R. G.
Gooch, George Peabody (Bath)
Grant, Corrie
Greenwood, G. (Peterborough)
Griffith, Ellis J.
Gurdon, Rt Hn. Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harvey, W. E. (Derbyshire, N. E.
Haslam, Lewis (Monmouth)
Hedges, A. Paget
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hodge, John
Holland, Sir William Henry
Hooper, A. G.
Horniman, Emslie John
Horridge, Thomas Gardner
Hudson, Walter
Hyde, Clarendon
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, Sir James Alfred
Jardine, Sir J.
Jones, Sir D. Brynmor (Swansea
Jones, Leif (Appleby)
Kekewich, Sir George
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lamont, Norman
Layland-Barratt, Sir Francis
Leese, Sir Joseph F. (Accrington
Lever, A. Levy (Essex, Harwich)
Lloyd-George, Rt. Hon. David
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah (Down, S.)
M'Cullum, John M.
M'Kenna, Rt. Hon Reginald
M'Laren, Sir C. B. (Leicester)
M'Micking, Major G.
Mallet, Charles E.
Mansfield, H. Rendall (Lincoln)
Marks, G. Croydon (Launceston
Marnham, F. J.
Massie, J.
Menzies, Walter

Molteno, Percy Alport
Mond, A.
Montague, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morton, Alpheus Cleophas
Murray, James (Aberdeen, E.)
Myer, Horatio
Napier, T. B.
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
O'Donnell, C. J. (Walworth)
O'Grady, J.
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pirie, Duncan V.
Ponsonby, Arthur A. W. H.
Pullar, Sir Robert
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Rees, J. D.
Richards, T. F. (Wolverh'mpt'n
Richardson, A.
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Robertson, Sir G. Scott (Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rose, Charles Day
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Sears, J. E.
Seaverns, J. H.
Shaw, Rt. Hon. T. (Hawick, B.)
Shipman, Dr. John G.
Simon, John, Allsebrook
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H, Y.
Stanley, Hn. A. Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Sutherland, J. E.
Tennant, H. J. (Berwickshire)
Thomas, Abel (Carmarthen, E.)
Thompson, J. W. H. (Somerset, E
Thorne, G. R. (Wolverhampton)
Thorne, William (West Ham)
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Walters, John Tudor
Ward, John (Stoke-upon-Trent)
Ward, W. Dudley (Southampton
Wardle, George J.
Wason, Rt Hn. E. (Clackmannan
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. Dundas (Dumbart'nsh.
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker, Rt Hn. Sir Thomas P.
Wiles, Thomas
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters
Wilson, Henry J. (York, W.R.)
Wilson, W. T. (Westhoughton)
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Joseph Pease, and Mr. Herbert Lewis.

NOES.

Anstruther-Gray, Major
Arkwright, John Stanhope
Aubrey-Fletcher, Rt Hn. Sir H.
Banbury, Sir Frederick George
Barrie, H. T. (Londonderry, N.)
Bertram, Julius
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Carlile, E. Hildred
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone E.)
Clive, Percy Archer
Cochrane, Hon. Thos. H. A. E.
Craig, Charles Curtis (Antrim, S.)
Craig, Captain James (Down, E.)
Craik, Sir Henry
Cross, Alexander
Dixon-Hartland, Sir Fred Dixon
Duncan, Robert (Lanark, Govan
Faber, George Denison (York)
Fardell, Sir T. George
Fletcher, J. S.
Gardner, Ernest
Goulding, Edward Alfred
Guinness, Hon. R. (Haggerston)
Guinness, W. E. (Bury S. Edm.)
Harris, Frederick Leverton
Harrison-Broadley, H. B.
Heaton, John Henniker
Helmsley, Viscount
Hill, Sir Clement
Hills, J. W.
Hope, James Fitzalan (Sheffield
Houston, Robert Paterson
Hunt, Rowland
Joynson-Hicks, William
Kerry, Earl of
Kimber, Sir Henry
King, Sir Henry Seymour (Hull)
Lee, Arthur H. (Hants, Fareham
Lockwood, Rt Hn. Lt.-Col. A. R.
Long, Col. Charles W. (Evesham
Long, Rt. Hn. Walter (Dublin, S)
Lonsdale, John Brownlee
Lowe, Sir Francis William
MacCaw, William J. MacGeagh
M'Arthur, Charles
Magnus, Sir Philip
Morrison-Bell, Captain
Neild, Herbert
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Ratcliff, Major, R. F.
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Roberts, S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Sassoon, Sir Edward Albert
Stanier, Beville
Talbot, Rt. Hn. J. G. (Oxf'd Univ.
Thornton, Percy M.
Walker, Col. W. H. (Lancashire)
White, Patrick (Meath, North)
Wilson, A. Stanley (York, E.R.)
Wortley, Rt. Hon. C. B. Stuart-
Wyndham, Rt. Hon. George
Young, Samuel

TELLERS FOR THE NOES—Viscount Valentia and Mr. Pike Pease.

Amendments proposed—

"In page 22, line 38, to leave out from the word 'apply' to the word 'and' in line 40, and insert the words 'accordingly; and for the purpose of all the provisions so applied the owner or other person in receipt of the rent of the premises shall be treated as a ratepayer, whether he is in fact a ratepayer or not.'"

"In page 23, line 1, to leave out the word 'eighteen,' and insert the word 'seven.'"

"In page 23, line 2, to leave out the word '1907,' and tinsert the word '1908.'"

"In page 23, line 5, to leave out the word 'seven,' and to insert the word 'eight.'"—(*Sir S. Evans.*)

Amendments agreed to.

Question put, "That the clause, as amended, stand part of the Bill."

The Committee divided:—Ayes, 217; Noes, 72. (Division List No. 348.)

AYES.

Acland, Francis Dyke
Adkins, W. Ryland D.
Agar-Robartes, Hon. T. C. R.
Ainsworth, John Stirling
Alden, Percy
Allen, Charles P. (Stroud)
Asquith, Rt.Hn.Herbert Henry
Astbury, John Meir
Baker, Joseph A. (Finsbury,E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beaumont, Hon. Hubert
Bellairs, Carlyon
Benn, Sir J. Williams (Devonp'rt
Benn, W. (T'w'r Hamlets, S. Geo)
Berridge, T. H. D.
Bethell, T. R. (Essex, Maldon)
Black, Arthur W.
Bowerman, C. W.
Brace, William
Branch, James
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J.F. L.(Lancs., Leigh)
Bryce, J. Annan
Buchanan, Thomas Ryburn
Burns, Rt. Hon. John
Buxton, Rt.Hn.Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cheetham, John Frederick
Churchill, Rt. Hon. Winston S.
Clough, William
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W
Cooper, G. J.
Corbett, C H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth)
Crooks, William
Crosfield, A. H.
Curran, Peter Francis
Davies, M. Vaughan-(Cardigan)
Davies, Timothy (Fulham)
Dickinson, W.H. (St. Pancras, N
Duncan, C. (Barrow-in-Furness
Erskine, David C.
Essex, R. W.
Esslemont, George Birnie
Evans, Sir Samuel T.
Faber, G. H. (Boston)
Ferens, T. R.
Foster, Rt. Hon. Sir Walter
Fullerton, Hugh
Gibb, James (Harrow)
Glen-Coats, Sir T. (Renfrew, W.)
Glendinning, R. G.
Gooch, George Peabody (Bath)
Grant, Corrie
Greenwood, G. (Peterborough)
Griffith, Ellis J.
Gurdon, Rt. Hn Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r.)
Hart-Davies, T.
Harvey, W.E. (Derbyshire, N.E.
Haslam, Lewis (Monmouth)
Hedges, A. Paget
Henderson, Arthur (Durham)
Henderson, J.M. (Aberdeen, W.)
Henry, Charles S.
Herbert, Col. Sir Ivor (Mon., S.)
Higham, John Sharp
Hodge, John
Holland, Sir William Henry
Hooper, A. G.
Horniman, Emslie John
Horridge, Thomas Gardner
Hudson, Walter
Hyde, Clarendon
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, Sir James Alfred
Jardine, Sir J.
Jones, Sir D. Brynmor (Swansea)
Jones, Leif (Appleby)
Kekewich, Sir George
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lamont, Norman
Layland-Barratt, Sir Francis
Lever, A. Levy (Essex, Harwich
Lloyd-George, Rt. Hon. David
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, J.M. (Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
M'Callum, John M.
M'Laren, Sir C. B. (Leicester)
M'Micking, Major G.
Mallet, Charles E.
Mansfield, H. Rendall (Lincoln)
Marks, G. Croydon (Launceston)
Marnham, F. J.
Massie, J.
Menzies, Walter
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morton, Alpheus Cleophas
Murray, James (Aberdeen, E.)
Myer, Horatio
Napier, T. B.
Norman, Sir Henry
Norman, Capt. Cecil William
Nussey, Thomas Willans
O'Donnell, C. J. (Walworth)
O'Grady, J.
Pearce, Robert (Staffs, Leek)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pirie, Duncan V.
Ponsonby, Arthur A. W. H
Pullar, Sir Robert
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rees, J. D.
Richards, T. F. (Wolverh'mpt'n
Richardson, A.
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Robertson, Sir G Scott (Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Rose, Charles Day
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Sears, J. E.
Seaverns, J. H.
Shaw, Rt. Hn. T. (Hawick B.)
Shipman, Dr. John G.
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn. A. Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Sutherland, J. E.
Tennant, H. J. (Berwickshire)
Thomas, Abel (Carmarthen, E.)
Thompson, J. W. H. (Somerset, E
Thorne, G. R. (Wolverhampton
Thorne, William (West Ham)
Torrance, Sir A. M.
Toulmin, George
Verney, F. W.
Walters, John Tudor
Ward, John (Stoke upon Trent)
Ward, W. Dudley (Southampt'n)
Ward, George J.
Wason, Rt. Hn. E (Clackmannan
Wason, John Cathcart (Orkney)
Waterlow, D. S.

Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White,J.Dundas(Dumbart'nsh.
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker,Rt.Hn.SirThomasP
Wiles, Thomas
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters
Wilson, Henry J. (York, W.R.)
Wilson, W. T. (Westhoughton)
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Joseph Pease and Mr. Herbert Lewis.

NOES.

Anstruther-Gray, Major
Arkwright, John Stanhope
Aubrey-Fletcher, Rt Hn.Sir H
Banbury, Sir Frederick George
Barrie, H. T. (Londonderry,N.)
Bertram, Julius
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Carlile, E. Hildred
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Clive, Percy Archer
Cochrane, Hon. Thos. H. A. E.
Craig,Charles Curtis (Antrim,S)
Craig,Captain James (Down,E.
Craik, Sir Henry
Cross, Alexander
Dixon-Hartland,Sir FredDixon
Duncan,Robert(Lanark,Govan
Faber, George Denison (York)
Fardell, Sir T. George
Fletcher, J. S.
Gardner, Ernest
Goulding, Edward Alfred
Guinness, Hn. R. (Haggerston)
Guinness, W.E. (Bury S. Edm.)
Harris, Frederick Leverton
Heaton, John Henniker
Hill, Sir Clement
Hills, J. W.
Hope,JamesFitzalan(Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Joynson-Hicks, William
Kerry, Earl of
Kimber, Sir Henry
King,Sir Henry Seymour(Hull)
Lee,Arthur H.(Hants,Fareham
Lockwood, Rt.Hn.Lt.-Col.A.R.
Long,Col. Charles W.(Evesham
Long,Rt.Hn.Walter(Dublin,S)
Lonsdale, John Brownlee
Lowe, Sir Francis William
MacCaw, William J. MacGeagh
M'Arthur, Charles
Magnus, Sir Philip
Morrison-Bell, Captain
Nield, Herbert
Pease,Herbert Pike(Darlington
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Ratcliff, Major R. F.
Rawlinson,John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Roberts, S. (Sheffield,Ecclesall)
Ronaldshay, Earl of
Rutherford, W. W. (Liverpool)
Sassoon, Sir Edward Albert
Stanier, Beville
Talbot,Rt.Hn.J.G.(Oxf'd Univ.
Thornton, Percy M.
Valentia, Viscount
Walker, Col.W.H. (Lancashire)
White, Patrick (Meath, North)
Wilson, A. Stanley (York,E.R
Wortley, Rt. Hn. C. B. Stuart-
Wyndham, Rt. Hon. George
Young, Samuel

TELLERS FOR THE NOES—Viscount Helmsley and Mr. Salter.

Clause 46:

Question put, "That the clause stand part of the Bill."

The Committee divided:—Ayes, 204; Noes, 59. (Division List No. 349.)

AYES.

Acland, Francis Dyke
Adkins, W. Ryland D.
Agar-Robartes, Hon. T. C. R.
Ainsworth, John Stirling
Alden, Percy
Asquith,Rt.Hn.Herbert Henry
Astbury, John Meir
Baker,Joseph A. (Finsbury,E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beaumont, Hon. Hubert
Bellairs, Carlyon
Benn,SirJ.Williams(Devonp'rt
Benn,W.(T'w'rHamlets,S.Geo.
Berridge, T. H. D.
Bertram, Julius
Bethell, T. R. (Essex, Maldon)
Black, Arthur W.
Bowerman, C. W.
Brace, William
Branch, James
Brodie, H. C.
Brunner,J.F.L. (Lancs., Leigh)
Bryce, J. Annan
Buchanan, Thomas Ryburn
Burns, Rt. Hon. John
Buxton,Rt.Hn.Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cheetham, John Frederick
Churchill, Rt. Hon. Winston S.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins,Sir Wm.J.(S.Pancras,W
Cooper, G. J.
Corbett,C.H(Sussex,E.Grinst'd
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Craig,Herbert J. (Tynemouth)
Crooks, William
Crosfield, A. H.
Curran, Peter Francis
Davies, M.Vaughan-(Cardigan)
Davies, Timothy (Fulham)
Dickinson,W.H.(St.Pancras,N.
Duncan, C.(Barrow-in-Furness
Erskine, David C.
Evans, Sir Samuel T.
Faber, G. H. (Boston)
Ferens, T. R.
Foster, Rt. Hon. Sir Walter
Gibb, James (Harrow)
Glen-Coats,Sir T.(Renfrew,W.
Glendinning, R. G.
Gooch, George Peabody (Bath)
Grant, Corrie
Greenwood, G. (Peterborough)
Griffith, Ellis J.
Gurdon,Rt Hn.SirW.Brampton
Haldane, Rt. Hon. Richard B.
Harcourt,Rt.Hn.L.(Rossendale
Harcourt,Robert V. (Montrose)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harvey,W.E.(Derbyshire,N.E.
Haslam, Lewis (Monmouth)

Hedges, A. Paget
Henderson, Arthur (Durham)
Henderson,J.M.(Aberdeen,W.)
Henry, Charles S.
Hodge, John
Holland, Sir William Henry
Hooper, A. G.
Horridge, Thomas Gardner
Hudson, Walter
Hyde, Clarendon
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, Sir James Alfred
Jones,Sir D.Brynmor(Swansea
Jones, Leif (Appleby)
Kekewich, Sir George
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lamont, Norman
Layland-Barratt, Sir Francis
Lever,A.Levy (Essex,Harwich)
Lloyd-George, Rt. Hon. David
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester,
Macdonald,J.M. (Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah (Down,S.)
M'Callum, John M.
M'Kenna, Rt. Hon. Reginald
M'Laren, Sir C. B. (Leicester)
M'Micking, Major G.
Mallet, Charles E.
Mansfield,H. Rendall (Lincoln)
Marks,G.Croydon(Launceston)
Marnham, F. J.
Massie, J.
Menzies, Walter
Mond, A.
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morton, Alpheus Cleophas
Murray, James (Aberdeen, E.)
Myer, Horatio
Napier, T. B.
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
O'Donnell, C. J. (Walworth)
O'Grady, J.
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pirie, Duncan V.
Pullar, Sir Robert
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Rees, J. D.
Richards,T.F. (Wolverh'mpt'n
Richardson, A.
Roberts, Charles H. (Lincoln)
Robertson,SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel,Herbert L. (Cleveland)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Sears, J. E.
Seaverns, J. H.
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley,Hn. A. Lyulph (Chesh.
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Sutherland, J. E.
Tennant, H. J. (Berwickshire)
Thomas,Abel (Carmarthen, E.)
Thompson,J.W.H.(Somerset,E
Thorne,G.R.(Wolverhampton)
Thorne, William (West Ham)
Torrance, Sir A. M.
Toulmin, George
Verney, F. W.
Walters, John Tudor
Ward,John(Stoke-upon-Trent)
Ward,W.Dudley(Southampton
Wardle, George J.
Wason,Rt.Hn.E.(Clackmannan
Wason,John Cathcart(Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White,J.Dundas(Dumbart'nsh.
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker,Rt Hn.SirThomasP.
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters
Wilson, Henry J. (York, W.R.
Wilson, W. T. (Westhoughton)
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Joseph Pease and Mr. Herbert Lewis.

NOES.

Anstruther-Gray, Major
Arkwright, John Stanhope
Aubrey-Fletcher,Rt.Hon.Sir H
Barrie, H. T. (Londonderry,N.
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Carlile, E. Hildred
Cave, George
Cecil, Evelyn (Aston Manor)
Cochrane, Hon. Thos. H. A. E.
Craig,CharlesCurtis(Antrim,S.
Craig,Captain James(Down,E.)
Craik, Sir Henry
Cross, Alexander
Dixon-Hartland,Sir Fred Dixon
Duncan,Robert (Lanark,Govan
Faber, George Denison (York)
Fardell, Sir T. George
Fletcher, J. S.
Gardner, Ernest
Goulding, Edward Alfred
Guinness,Hon.R. (Haggerston
Guinness,W.E. (Bury S. Edm.)
Hill, Sir Clement
Hills, J. W.
Houston, Robert Paterson
Hunt, Rowland
Kerry, Earl of
Kimber, Sir Henry
King,Sir HenrySeymour (Hull)
Lee,Arthur H.(Hants,Fareham
Long,Col.Charles W.(Evesham
Long,Rt.Hn.Walter (Dublin,S
Lonsdale, John Brownlee
Lowe, Sir Francis William
MacCaw, William J. MacGeagh
M'Arthur Charles
Magnus, Sir Philip
Morrison-Bell, Captain
Nield, Herbert
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Ratcliff, Major R. F.
Rawlinson,John FrederickPeel
Remnant, James Farquharson
Renton, Leslie
Roberts,S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Rutherford, W. W. (Liverpool)
Sassoon, Sir Edward Albert
Stanier, Beville
Talbot,Rt.Hn.J.G.(Oxf'd Univ.
Thornton, Percy M.
White, Patrick (Meath, North)
Wilson,A.Stanley (York, E. R.)
Wortley, Rt. Hon. C. B. Stuart-
Young, Samuel

TELLERS FOR THE NOES—Mr. Pike Pease and Mr. James Hope,

Clause 47 agreed to.

New clause—

" In page 21, after Clause 43, to insert the following clause: (1) In this Act, unless the context otherwise requires: (*a*) The expression " urban area " means a ward in the case of a borough or urban district divided into wards, and a borough or urban district in the case of a borough or urban district not divided into wards, and for the purposes of the definition of an " urban area " a metropolitan borough shall be deemed to be a borough. Where at the passing of this Act part of an urban area is situated in one licensing district and part in another, the Secretary of State shall make such an order as may be necessary for the purpose of securing that the whole of the urban area shall be included in one licensing district, and may by the order either alter the boundaries of the licensing districts, or, if he is of opinion that each part of the area can properly be treated as a separate urban area, declare that each part shall be so treated, and the order shall take effect accordingly; (*b*) the expression " rural parish " means a parish in a rural district; (*c*) the expression " Licensing Acts ' means the Licensing Acts, 1828 to 1906, and this Act. (2) Any reference in this Act to any provision of the Licensing Acts, 1828 to 1906, which has been amended by any subsequent Act, or is amended by this Act, shall be construed as a reference to the provision as so amended.' "—(*Sir S. Evans.*)

Brought up, and read the first time.

Question put, " That the clause be added to the Bill."

The Committee divided:—Ayes, 198; Noes, 58. (Division List No. 350.)

AYES.

Acland, Francis Dyke
Adkins, W. Ryland D.
Agar-Robartes, Hon. T. C. R.
Ainsworth, John Stirling
Alden, Percy
Asquith,RtHon.Herbert Henry
Astbury, John Meir
Baker,Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring,Godfrey (Isle of Wight)
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beaumont, Hon. Hubert
Bellairs, Carlyon
Benn,Sir J.Williams(Devonp'rt
Benn,W.(T'w'r Hamlets,S.Geo.
Berridge, T. H. D.
Bethell, T. R. (Essex, Maldon)
Black, Arthur W.
Bowerman, C. W.
Brace, William
Branch, James
Brodie, H. C.
Brunner,J.F.L. (Lancs., Leigh)
Bryce, J. Annan
Buchanan, Thomas Ryburn
Burns, Rt. Hon. John
Buxton,Rt.Hn.Sydney Charles
Byles, William Pollard
Cameron, Robert
Carr-Gomm, H. W.
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cheetham, John Frederick
Churchill, Rt. Hon. Winston S.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Cooper, G. J.
Corbett,C H(Sussex,E.Grinst'd
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth)
Crooks, William
Crosfield, A. H.
Curran, Peter Francis
Davies, M. Vaughan- (Cardigan
Davies, Timothy (Fulham)
Dickinson,W.H. (St.Pancras,N.
Duncan, C. (Barrow-in-Furness
Erskine, David C.
Evans, Sir Samuel T.
Faber, G. H. (Boston)
Ferens, T. R.
Foster, Rt. Hon. Sir Walter
Gibb, James (Harrow)
Glen-Coats, Sir T. (Renfrew,W.
Glendinning, R. G.
Gooch, George Peabody (Bath)
Grant, Corrie
Greenwood, G. (Peterborough)
Griffith, Ellis J.
Gurdon,RtHn SirW.Brampton
Haldane, Rt. Hon. Richard B.
Harcourt,Rt.Hn.L.(Rossendale
Harcourt, Robert V.(Montrose)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harvey,W.E. (Derbyshire,N.E.
Haslam, Lewis (Monmouth)
Hedges, A. Paget
Henderson, Arthur (Durham)
Henderson,J.M. (Aberdeen,W.)
Henry, Charles S.
Hodge, John
Hooper, A. G.
Horniman, Emslie John
Horridge, Thomas Gardner
Hudson, Walter
Hyde, Clarendon
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, Sir James Alfred
Jones,Sir D.Brynmor (Swansea
Jones, Leif (Appleby)
Kekewich, Sir George
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lamont, Norman
Layland-Barratt, Sir Francis
Lever,A.Levy (Essex,Harwich)
Lloyd-George, Rt. Hon. David
Lupton, Arnold
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald,J.M. (Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah (Down,S.
M'Callum, John M.
M'Kenna, Rt. Hon. Reginald
M'Laren, Sir C. B. (Leicester)
M'Micking, Major G.
Mallet, Charles E.

Mansfield, H. Rendall (Lincoln)
Marnham, F. J.
Massie, J.
Menzies, Walter
Mond, A.
Montagu, Hon. E. S.
Morgan, G. Hay (Cornwall)
Morton, Alpheus Cleophas
Murray, James (Aberdeen, E.)
Myer, Horatio
Napier, T. B.
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
O'Donnell, C. J. (Walworth)
O'Grady, J.
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pirie, Duncan V.
Pullar, Sir Robert
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Rees, J. D.
Richardson, A.
Roberts, Charles H. (Lincoln)
Robertson, Sir G. Scott (Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roch, Walter F. (Pembroke)
Roe, Sir Thomas
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Sears, J. E.
Seaverns, J. H.
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn. A. Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Sutherland, J. E.
Tennant, H. J. (Berwickshire)
Thomas, Abel (Carmarthen, E.)
Thompson, J. W. H. (Somerset, E
Thorne, G. R. (Wolverhampton)
Thorne, William (West Ham)
Torrance, Sir A. M.
Trevelyan, Charles Philips
Verney, F. W.
Walters, John Tudor
Ward, John (Stoke-upon-Trent)
Ward, W. Dudley (Southampton
Wardle, George J.
Wason, Rt. Hn. E. (Clackmannan
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. Dundas (Dumbart'nsh
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax
Whittaker, Rt Hn. Sir Thomas P.
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters
Wilson, Henry J. (York. W.R.)
Wilson, W. T. (Westhoughton)
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Joseph Pease and Mr. Herbert Lewis

NOES.

Anstruther-Gray, Major
Arkwright, John Stanhope
Aubrey-Fletcher, Rt. Hon. Sir H
Barrie, H. T. (Londonderry, N.)
Bertram, Julius
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Carlile, E. Hildred
Cave, George
Cecil, Evelyn (Aston Manor)
Cochrane, Hon. Thos. H. A. E.
Craig, Captain James (Down, E.)
Craik, Sir Henry
Cross, Alexander
Dixon-Hartland, Sir Fred Dixon
Duncan, Robert (Lanark, Govan
Fletcher, J. S.
Gardner, Ernest
Goulding, Edward Alfred
Guinness, Hon. R. (Haggerston)
Guinness, W. E. (Bury S. Edm.)
Hill, Sir Clement
Hills, J. W.
Hope, James Fitzalan (Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Kerry, Earl of
Kimber, Sir Henry
King, Sir Henry Seymour (Hull)
Lee, Arthur H. (Hants, Fareham
Long, Col. Charles W. (Evesham
Long, Rt. Hn. Walter (Dublin, S.
Lonsdale, John Brownlee
Lowe, Sir Francis William
MacCaw, William J. MacGeagh
M'Arthur, Charles
Magnus, Sir Philip
Morrison-Bell, Captain
Nield, Herbert
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Ratcliff, Major R. F.
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Roberts, S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Rutherford, W. W. (Liverpool)
Sassoon, Sir Edward Albert
Stanier, Beville
Talbot, Rt. Hn. J. G. (Oxf'd Univ
Thornton, Percy M.
White, Patrick (Meath, North)
Wilson, A. Stanley (York, E.R.)
Wortley, Rt. Hon. C. B. Stuart-
Young, Samuel

TELLERS FOR THE NOES—Mr. Pike Pease and Mr. George D. Faber.

Committee report Progress; to sit again upon Monday next.

And, it being half-past Five of the Clock, Mr. DEPUTY-SPEAKER adjourned the House without Question put, pursuant to Standing Order No. 3.

Adjourned at nine minutes before Six o'clock till Monday next.

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

HOUSE OF COMMONS.

Monday, 9th November, 1908.

The House met at a quarter before Three of the Clock.

PRIVATE BILL BUSINESS.

Kirkcaldy and Dysart Water Order Confirmation Bill [Lords].—Read the third time, and passed, without Amendment.

PETITIONS.

ENFRANCHISEMENT OF WOMEN.

Petition from Kettering, for legislation; to lie upon the Table.

RETURNS, REPORTS, ETC.

RIFLE ASSOCIATIONS (COLONIES) (GRANTS).

Return [presented 6th November] to be printed. [No. 319.]

ROYAL UNIVERSITY OF IRELAND.

Copy presented, of Twenty-sixth Report of the Royal University of Ireland, being for the year 1907 [by Command]; to lie upon the Table.

INTERMEDIATE EDUCATION (IRELAND).

Copy presented, of Rule in substitution of Rule 14 of the Rules made by the Intermediate Education Board for Ireland, sealed on 17th June, 1908 [by Act]; to lie upon the Table.

WINTER ASSIZES (IRELAND).

Copies presented, of Four Orders in Council, dated 3rd November, 1908, for holding Winter Assizes in Ireland [by Act]; to lie upon the Table.

POST OFFICE SAVINGS BANK (REGULATIONS).

Copy presented, of the Post Office Savings Bank Amendment (No. 1) Regulations, 1908. Dated 9th November, 1908 [by Act]; to lie upon the Table.

BOARD OF EDUCATION.

Copy presented, of Report of the Committee of Rearrangement, Victoria and Albert Museum (Art Division) [by Command]; to lie upon the Table.

EAST INDIA (PROCLAMATIONS).

Address for "Copies of the Proclamation of the King, Emperor of India, to the princes and people of India, of the 2nd day of November, 1908, and the Proclamation of the late Queen Victoria of the 1st day of November, 1858 to the princes, chiefs, and people of India."—(*Mr. Eugene Wason.*)

LAND JUDGE'S COURT (IRELAND).

Return ordered, "by counties, of the Estates in the Land Judge's Court over which Receivers have been appointed (in continuation of Parliamentary Papers, No. 182, 256, 264, and 178, of sessions 1904, 1905, 1906, and 1907)."—(*Mr. Clancy.*)

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

MR. SUMMERBELL (Sunderland): To ask the President of the Local Government Board if he can state approximately the total amount of the assets of the local authorities of the country as compared to the local debt at the present time, or at the latest date for which figures are available.

MR. WEDGWOOD (Newcastle-under-Lyme): To ask the President of the Local Government Board what is the total amount of the debt, and what is the total amount of assets of local authorities; and what the surplus of assets over debt amounts to in cases where actual valuation has taken place.

(*Answered by Mr. John Burns.*) Perhaps I may be allowed to answer these Questions together. The aggregate amount of the outstanding loans for all purposes of the local authorities in the United Kingdom was £564,645,200 at the end of the year 1905–6, the latest year for which the particulars are available. The total value of the assets of the local authorities cannot be given for purposes of comparison with the debt. According to the Return relating to the indebtedness of the councils of boroughs, other than Metropolitan boroughs, in England and Wales, obtained in 1904, a value of £241,000,000 was set on the corporate property and undertakings on 31st March, 1903, when the total amount of the outstanding loans of those councils was, according to the same Return, about £195,000,000. The value of the assets was, however, estimated in different ways in different boroughs.†

Old-Age Pensions—Means of Married Couples.

MR. BARNES (Glasgow, Blackfriars): To ask the President of the Local Government Board if it is within his knowledge that total incomes of married couples of £33 16s. per annum or over have been held to be incomes of one or the other of such married couples, thus barring the husband or wife, as the case may be, from receiving a pension; and, if so, whether this is a correct interpretation of the Old-Age Pensions Act.

(*Answered by Mr. John Burns.*) No case has been brought to my knowledge in which the Act has been interpreted in the manner indicated in the Question. As I am advised, although a husband and wife may live together, the means of each must, for the purposes of the Act, be considered separately, except that the means of either of them must not be taken to be less than half of the total means of the two together.

Hearing of County Donegal Income-Tax Appeals.

MR. SWIFT MACNEILL (Donegal, S.) To ask the Secretary to the Treasury whether he is aware that the Commissioners of Income-Tax have given notice of their intention of sitting for the purpose of hearing appeals from the county of Donegal in the court-house at Strabane on the 13th instant, and that the proposed arrangement will entail on appellants resident in the county of Donegal the expense, inconvenience, and loss of time incident to a long journey from their residences or the abandonment; and, having regard to the difficulties thus created of attempting to appeal, since the expense necessitated by so doing under these circumstances would be in many cases greater than the reductions in the sums assessed, for which the appeals are undertaken, an appellant being compelled to travel under the proposed arrangements from Glencolumbkille to Strabane, directions will be given that the Commissioners will attend at convenient centres in Donegal such as Stranorlar, Donegal Town, Ballyshannon, and Killybegs, where there are commodious court-houses, in order to facilitate appellants in bringing their claims before the Commissioners instead of obstructing them from so doing, which will be the result of the present arrangement if unmodified.

(*Answered by Mr. Hobhouse.*) Should it be found that appellants who have been summoned to attend at Strabane on the 13th instant have been prevented from doing so by reason of their living in parts of the County Donegal remote from that town, opportunity will be given for the subsequent consideration of their cases, provided the accounts called for by the Special Commissioners are supplied on or before the dates named in the precepts for accounts already issued.

Distribution of John Jeffcott's Farm on the Blacker-Douglas Estate.

MR. SHEEHAN (Cork County, Mid.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners have taken any, and, if so, what, steps to acquire, for purposes of distribution amongst the labourers and others, the non-residential farm of John Jeffcott, on the M. V. Blacker-Douglas Estate at Ballylongford, County Kerry; have agreements to purchase been filed in respect of this estate; if so, is there an agreement from Patrick Dineen in respect of Jeffcott's holding; and is he aware that Mr. Jeffcott offered, through Canon Hayes, to sell his interest to the Estates Commissioners, but that they refused to move in the matter.

(*Answered by Mr. Birrell.*) The Estates Commissioners do not propose to take any steps to acquire the farm in question. Agreements for the purchase of the estate have been lodged, including one signed by Jeffcott for the purchase of this farm, which he has since assigned to Patrick Dineen. Jeffcott had first offered through Canon Hayes to sell his interest to the Estates Commissioners, who refused to take any action in the matter.

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† This Answer is in substitution for that published on Nov. 5th.

Bexhill Post Office—Unhealthy Condition of Instrument Room.

MR. COURTHOPE (Sussex, Rye): To ask the Postmaster-General whether the staff at Bexhill have complained for nearly two years of the unhealthy condition of the instrument room; whether the room was condemned by the chief medical officer to the Post Office in November, 1907; and whether, in view of the fact that there is an abnormal amount of sickness among those using the room, he will consider what improvements can be effected.

(*Answered by Mr. Sydney Buxton.*) I am not aware that there is an abnormal amount of sickness among the staff occupying the instrument room at the Bexhill sub-Post Office, but the room is admittedly cramped and difficult to ventilate, and the question of improving the accommodation of the office generally has been for some time under careful consideration. Difficulties have arisen, however, in regard to the acquisition of the additional land required for the purpose, with the result that some time may elapse before the scheme for permanent enlargement can be carried out. In the meantime I propose to authorise a temporary improvement of the accommodation for the instrument work, etc., by means of the appropriation for office purposes of part of the residence which has been vacated by the sub-postmaster.

Messrs. White & Co. (of Cowes) and Tenders for New Destroyers.

MR. COURTHOPE: To ask the First Lord of the Admiralty whether any of the sixteen destroyers provided for in the current naval programme have been ordered from Messrs. White and Co., at Cowes; and whether any steps will be taken to prevent the discharge of large numbers of workmen from this and other yards having special facilities for building torpedo craft, which must inevitably follow any considerable curtailment of Admiralty orders.

(*Answered by Mr. McKenna.*) The tender of Messrs. White and Co., with those of other firms, is still under consideration. With regard to the second part of the hon. Member's Question, the action of the Admiralty is necessarily limited to the allocation of the orders of the year's programme.

Messrs. John Stones, Limited, and the Fair Wage Resolution.

MR. W. T. WILSON (Lancashire, Westhoughton): To ask the First Lord of the Admiralty if he is aware that the firms of John Stones, Limited, Ure Mills, Ulverston, and John Stones, of Rosside Works, sliding partition and revolving shutter, etc., manufacturers, who advertise themselves as contractors to the Admiralty, only pay the joiners in their employ from 6¼d. to 7¼d. per hour., whilst the current rate of wage in the district, *vide* Board of Trade Returns, is 8d. per hour; whether he will take steps to induce those firms to pay the current rate of wages; and, failing which, whether he will remove them from the list of firms invited to tender for Admiralty work.

(*Answered by Mr. McKenna.*) So far as can be ascertained, this firm has not had any dealings with the Admiralty.

Relief of Unemployment—Extra Men at the Dockyards.

MR. BELLAIRS (Lynn Regis): To ask the First Lord of the Admiralty how many men in excess of 30,500 voted this financial year are to be employed in the home dockyards as the result of the Government's effort to relieve unemployment.

(*Answered by Mr. McKenna.*) The number of men who will receive employment in the dockyards as the result of the special effort made to relieve unemployment is estimated at about 2,100. Their employment is to last until 31st March, 1909.

Delay in Repayment of Income Tax Claims.

SIR WILLIAM BULL (Hammersmith): To ask Mr. Chancellor of the Exchequer whether his attention has been called to the fact that, owing to the staff for dealing with income-tax repayment claims not being sufficiently large to deal with them without delay, claims are left in abeyance for four months without being attended to; and whether, under these circumstances, he will consider the advisability of provision being made to pay claimants interest on the money to which they are entitled at the time of making their claim.

(*Answered by Mr. Lloyd-George.*) I beg to refer the hon. Member to the Answer given by me on the 28th ultimo to the hon. Member for East Down. Under the present law interest cannot be claimed or allowed, and I do not think it necessary or advisable that the law in this respect should be altered.

Old-Age Pensions—Voluntary Payments.

Colonel LOCKWOOD (Essex, Epping): To ask Mr. Chancellor of the Exchequer if a weekly payment voluntarily made is to be counted as a source of income for old-age pension purposes.

(*Answered by Mr. Lloyd-George.*) I see no warrant in the provisions of Section 4 of the Old-Age Pensions Act for excluding such contributions from the calculation for the purposes of the Act of the means possessed by the recipient.

Old-Age Pensions Regulations—Metropolitan Boroughs.

Lord R. CECIL (Marylebone, E.): To ask Mr. Chancellor of the Exchequer if he can state the grounds upon which the Government have been advised that the term borough in the Old-Age Pensions Act does not include a Metropolitan borough.

(*Answered by Mr. Lloyd-George.*) The term "borough" is defined by the Interpretation Act, 1889, to mean a municipal borough; and a municipal borough is defined as a borough that is subject to the Municipal Corporations Act, 1882, and therefore does not include a Metropolitan borough.

Cattle Driving in Ireland.

Mr. LONSDALE (Armagh, Mid): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will ascertain from the Inspector-General the proportion of the total number of cases of cattle-driving reported by the police down to the end of September, 1908, which have been recorded in the official statistics of crime, distinguishing the headings under which they have been so recorded.

(*Answered by Mr. Birrell.*) I am unable to add anything to my reply to the Question on the subject asked by the hon. Member for Belfast North on 27th October.

Irish Evicted Tenants—County Meath Cases.

Mr. PATRICK WHITE (Meath, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland how many evicted tenants in the County of Meath have been reinstated in their former or obtained equivalent holdings; and how many applications from the same county remain to be dealt with.

(*Answered by Mr. Birrell.*) The Estates Commissioners inform me that 273 applications were received from persons seeking reinstatement as evicted tenants or the representatives of tenants evicted from holdings in County Meath. After inquiry the Estates Commissioners decided not to take any action in 118 cases; fifty-five applicants have been reinstated or provided with other holdings and thirty-one applications have been noted for consideration in connection with the allotment of untenanted land. The cases of the remaining sixty-nine applicants cannot be dealt with under the Evicted Tenants Act, but will be inquired into when the estates on which they were tenants are being dealt with under the Irish Land Act, 1903.

Mr. PATRICK WHITE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether Mr. Hopkins, an evicted tenant on the estate of Colonel Lyster Smythe, Nobber, County Meath, has applied to be reinstated in his former holding; and, if so, whether, as the farm from which he was evicted is still in the occupation of the landlord, they will compulsorily acquire it in order to effect his restoration.

(*Answered by Mr. Birrell.*) The Estates Commissioners have received an application for reinstatement from Francis Hopkins, and will consider it in connection with the distribution of untenanted land in County Meath which they hope to acquire. His former holding cannot be acquired compulsorily under The Evicted Tenants Act, 1907.

MR. PATRICK WHITE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners have purchased the estate of Admiral Singleton, Drumconrath, County Meath; if Thomas Kirk, an evicted tenant on the estate has applied to be reinstated in his former holding; and whether the Estates Commissioners will exercise the powers vested in them to acquire for him his former holding, which is still in possession of the landlord.

(*Answered by Mr. Birrell.*) The Estates Commissioners inform me that the estate belonging to Admiral Singleton, which was sold under the Irish Land Act, 1903, did not include Thomas Kirk's former holding, and the Commissioners do not propose to acquire it compulsorily, but they have noted Kirk's application with a view to his being provided with another holding on untenanted land to be acquired by them.

MR. PATRICK WHITE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that Mr. Ternan, an evicted tenant on the Balfour estate, Townley Hall, Drogheda, applied to the Estates Commissioners for reinstatement in his former holding, and that the inspector who visited the estate promised him a portion of the untenanted land; will he explain why the promise was not fulfilled; and whether the Commissioners will take early action to secure him a farm.

(*Answered by Mr. Birrell.*) The Estates Commissioners inform me that the lands on the Balfour estate referred to in the Question were, with their approval, allotted by the owner to a former occupier. Their inspector had no power to promise them to anyone. The Commissioners will consider Ternan's application when they are distributing untenanted land elsewhere.

MR. PATRICK WHITE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether Miss Rose A. O'Reilly, who was evicted from the lands of Gibbonstown, on the Wade estate, County Meath, has applied to the Estates Commissioners to be reinstated in her former or an equivalent holding; and, if so, what action has been taken in her case.

(*Answered by Mr. Birrell.*) The Estates Commissioners received an application from Philip O'Reilly and his daughter, Rose O'Reilly, for reinstatement in a holding on the Wade estate, which is now in the occupation of another tenant. The Commissioners have provided Philip O'Reilly with another holding in County Meath, and they do not propose to take any action in reference to Miss O'Reilly's application.

MR. PATRICK WHITE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether Eugene Farrelly, an evicted tenant on the estate of Philip Smyth, Kilmainham Wood, County Meath, has applied to the Estates Commissioners to be reinstated in his former holding, which is still on the hands of the landlord who evicted him; and, if so, what action has been taken in his case.

(*Answered by Mr. Birrell.*) This application was not received by the Estates Commissioners within the time specified by The Evicted Tenants (Ireland) Act, 1907. The estate is not pending for sale before the Commissioners, and they have not therefore been able to take any action in the matter.

MR. PATRICK WHITE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland what action has been taken to secure her former or an equivalent holding for Miss Margaret Clarke, Posserstown, Nobber, County Meath; whether the Estates Commissioners have acquired land in the neighbourhood of Kells; and whether, in the distribution of the land, they will consider the advisability of dealing with the claims of evicted tenants in County Meath before bringing tenants from other counties.

(*Answered by Mr. Birrell.*) As regards Miss Clarke's application I would refer the hon. Member to my reply to a similar Question asked by him on 1st April last. The Estates Commissioners are acquiring land compulsorily in the neighbourhood of Kells, and will no doubt exercise due discretion in its distribution.

Uneconomic Holdings on Kellet's Estate, County Meath.

MR. PATRICK WHITE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland what action the Estates Commissioners propose to take with a view to the enlargement of uneconomic holdings on Kellet's estate, County Meath.

(*Answered by Mr. Birrell.*) The Estates Commissioners inform me that the owners of this estate arranged to sell 100 acres in their occupation for the purpose of distribution. The Commissioners approved of the allotment of these lands amongst the smaller occupiers, but the latter refused to accept the portions offered to them.

Reply to Letter of Mr. P. White. M.P.

MR. PATRICK WHITE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners will reply to the letter dated 28th ultimo addressed to them by the hon. Member for North Meath.

(*Answered by Mr. Birrell.*) The Estates Commissioners have received the hon. Member's letter, and will reply to it as soon as they are in a position to do so.

Cattle Driving in Ireland.

MR. LONSDALE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether, seeing that the great majority of the 908 cases of cattle-dirving reported to the end of September last are not included in the Statistical Returns of Outrages, which therefore afford no trustworthy record of the volume of overt crime committed in Ireland, there is any reason why cattle-drives should not be included under the heading of intimidation.

(*Answered by Mr. Birrell.*) I would refer the hon. Member to my reply to a similar Question asked by him on 28th October.

High Velocity Ammunition.

MR. COURTHOPE: To ask the Secretary of State for War whether any, and, if so, what, limit of maximum breech pressure was imposed by the War Office when firms of ammunition manufacturers were invited to submit high-velocity ammunition with pointed bullets for testing experiments; whether any of the ammunition exceeded this limit; and, if so, was such ammunition rejected on this ground.

(*Answered by Mr. Secretary Haldane.*) As regards the first part of the Question the condition was that the mean pressure should not exceed 19·5 tons at 120° F., and that no round should exceed 20 tons. The reply to the rest of the Question is in the affirmative.

Ammunition for ·303 Rifle.

MR. COURTHOPE: To ask the Secretary of State for War whether he will institute an immediate and complete series of tests and experiments upon all patterns and types of existing ·303 ammunition, without restriction as to pressure, chamber space, or magazine length, in order that a correct decision may be formed as to the best type of ammunition for a ·303 rifle.

(*Answered by Mr. Secretary Haldane.*) I am afraid that I cannot undertake such an investigation. For the purpose in view a sufficient and complete investigation is being made.

Efficiency of Service Rifle.

MR. COURTHOPE: To ask the Secretary of State for War whether he will submit to the Small Arms Committee, or to a Committee of independent experts specially appointed for the purpose, the question whether, in what ways, and at what cost, the fighting efficiency of our service rifle and ammunition can be improved.

(*Answered by Mr. Secretary Haldane.*) Will the hon. Member kindly refer to my replies on this subject to Questions put by my hon friend the Member for the West Division of Hull on Thursday last?

Quit Notice to Tenants on Salisbury Plain.

MR. COURTHOPE: To ask the Secretary of State for War if he will state which, if any, of the agricultural tenants of the proposed extension of the artillery ranges on Salisbury Plain received formal notice to quit, from or on behalf of the War Office, on or before Michaelmas of this year.

(*Answered by Mr. Secretary Haldane.*) In some cases owners with whom the War Office has been in negotiation have by agreement with the War Office given notice to their tenants to quit at Michaelmas, 1909, but, as I have already explained to the House, the tenants will not be disturbed until the beginning of June, 1910. As the negotiations for purchase are still pending, and the matter is at present one which concerns the owners and their tenants, it is not considered that any more specific information can properly be given.

Automatic Rifle.

MR. COURTHOPE: To ask the Secretary of State for War whether, in considering the merits of various automatic rifles, the War Office has taken advantage of the investigations of the Automatic Rifles Committee of the National Rifle Association; and, if not, whether, in order to minimise the cost of future inquiries on this subject, he will now consult this committee before undertaking any further expensive investigations.

(*Answered by Mr. Secretary Haldane.*) The War Office has no knowledge of the committee mentioned or of its investigation. The hon. Member may rest assured that the War Office will secure all information available in regard to automatic rifles.

Waddington Hospital Charity.

MR. CLOUGH (Yorkshire, W.R., Skipton): To ask the hon. Member for the Barnstaple Division, as representing the Charity Commissioners, whether there is a scheme for out-pensions in connection with the Waddington Hospital Charity, and, if so, when was it first put into practice; how many out-pensioners are there; how much do they each receive weekly; whether the out-pensioners are confined to persons who are married, unmarried, widows, or widowers; whether there is any age limit; whether there are any vacancies amongst the out-pensioners of the charity, and, if so, how many, and when did they occur; whether there has been any vacancy since 20th December, 1907, when the trustees promised to consider the case of William Coulthurst of West Bradford; whether Coulthurst's case has since been considered, and what was the decision arrived at; who are the present trustees of the charity; and whether there are vacancies on the board of trustees; and, if so, how many.

(*Answered by Mr. Soares.*) The Waddington Hospital Charity is regulated by schemes of the Charity Commissioners, dated 4th August, 1885, and 21st October, 1887, which came into operation on those dates respectively. The pensions, which are payable out of the surplus income after providing for the other objects of the charity, are regulated by the scheme of 1885, and the number is fixed from time to time by the trustees, "with due regard to the amount of income available for their payment and the other circumstances of the charity." The number of pensioners has varied from thirty-two to twenty. At the present time there are twenty-six. The pensioners receive £20 per annum, *i.e.*, 7s. 8¼d. per week. The pensioners must be poor persons of good character, either married or single, and possessing the qualifications as to residence specified in the scheme. There is no age limit. On 13th December, 1907, there were twenty-nine pensioners. Three have died since that date, two in March and one in May last. William Coulthurst's case has not been considered since 20th December last. The present trustees are Colonel Parker, R. J. Aspinall, H. W. Worsley Taylor, K.C., W. Peel, the Reverend F. Parker, R. C. Assheton, E. LeGendre Starkie, A. C. M. Redhead, and W. King Wilkinson. There are no vacancies in the body of trustees. The trustees have recently incurred a considerable expense in connection with new sewerage works undertaken by the rural district council.

New Post Office at Machynlleth.

MR. REES (Montgomery Boroughs): To ask the Postmaster-General when the new Post Office will be built at Machynlleth; and whether the new site has been finally selected.

(*Answered by Mr. Sydney Buxton*). Premises have been selected, which the owner will adapt and partly rebuild for the purpose. I hope that it will be possible to have the work begun shortly.

Post Office Factories—Manufacturing and Repairing.

MR. JOYNSON-HICKS (Manchester. N.W.): To ask the Postmaster-General whether the Post Office factories are intended or used primarily for manufacturing purposes, or are intended or used primarily for repairing purposes; whether the factory buildings are utilised to their full capacity; and whether it is proposed to extend the use of the factories, more especially in view of the fact that the Post Office will shortly become the sole consumer of telephone apparatus in this country.

(*Answered by Mr. Sydney Buxton*). The Post Office factories are intended and used primarily for repairing purposes. I do not think it would be expedient largely to undertake in present circumstances at the factories the work of telegraph and telephone manufacture. Of recent years British manufacturers have, with Post Office encouragement, put down plants for telephone apparatus construction. It is to them I look for assistance in telephone development. My endeavour is to keep employment at the factories at a constant level. For this purpose I entrust certain items of construction work to them normally and others from time to time.

Metropolitan Police Force and Production of Rent-Books.

MR. WILES (Islington, S.): To ask the Secretary of State for the Home Department whether there is an official regulation for the Metropolitan Police Force that every constable shall present his rent-book each month for inspection by the station officer; and, if so, whether he can state if this regulation is enforced in each division.

(*Answered by Mr. Secretary Gladstone*). An allowance in aid of rent is given to constables in the Metropolitan Police Force, and it is necessary for them to present their rent-books for inspection in order to show that the conditions on which the allowance is given are observed.

Upkeep of Imperial Institute.

SIR W. J. COLLINS (St. Pancras, W.): To ask the Secretary to the Treasury what is the total amount that has been expended on capital and on maintenance, respectively, out of pubic funds for the establishment and upkeep of the Imperial Institute; and what are the public services now rendered by the Institute, apart from its use as a museum and exhibition, to the self-governing Colonies, India, and the Crown Colonies.

(*Answered by Mr. Hobhouse*). The figures asked for, so far as regards the upkeep and maintenance of the Imperial Institute buildings, are given below. In addition a grant of £500 has been made from the Board of Trade Vote to the Institute for cotton-growing investigations, but this grant was only sanctioned for a term of four years and comes to an end in March next. A contribution is also made from the Vote for Colonial Services, up to a maximum of £1,500 in respect of any one year, equal in amount to one-half of any sum which might be contributed by such Colonies and Protectorates as are not in receipt of a grant in aid from Votes of Parliament. In respect of this contribution, which is paid to a fund for the maintenance of the scientific and technical department of the institute, £1,400 was voted in 1906–7, and the maximum of £1,500 in each of the two succeeding years. As regards the last part of the Question, I understand that a Report of the work of the Institute during 1906–7 is now in the hands of the printers, and will shortly be laid before Parliament.

Imperial Institute Buildings.

Expenditure defrayed by the Commissioners of His Majesty's Works, etc.

Year.	Proportion incurred for London University.			Proportion incurred for Imperial Institute.		
	Capital.	Maintenance.	Total.	Capital.	Maintenance.	Total.
	£	£	£	£	£	£
1899–1900 -	2,611*	1,040	3,651	1,740*	694	2,434
1900–1 - -	11,243	1,187	12,430	7,495	791	8,286
1901–2 - -	177	796	973	118	531	649
1902–3 - -	1,688	2,390	4,078	1,125	1,594	2,719
1903–4 - -	889	2,279	3,168	593	1,519	2,112
1904–5 - -	495	1,784	2,279	330	1,190	1,520
1905–6 - -	7,203	2,416	9,619	4,802	1,610	6,412
1906–7 - -	513	1,955	2,468	342	1,303	1,645
1907–8 - -	198	2,059	2,257	132	1,373	1,505
1st April to 3rd November 1908 -	148	520	668	98	346	444
	25,165	16,426	41,591	16,775	10,951	27,726

*Exclusive of expenditure of £54,928, being the mortgage on the building and a floating debt of the Institute at the time of the transfer to this Department.

The expenditure is charged in the ratio of Imperial Institute two-fifths and the London University three-fifths.

Applications for Small Holdings in Surrey.

MR. BRODIE (Surrey, Reigate): To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether the Board is aware that the Surrey County Council is referring applicants for small holdings of one acre to parish councils, and that in certain parishes the councils are hostile to the Small Holdings and Allotments Act; and whether he will make inquiries so as to secure that the Act shall not be rendered inoperative in certain districts.

(*Answered by Sir Edward Strachey.*) The Board are aware of the action of the county council but not of the hostility of the parish councils to which my hon. friend refers. The duty of providing holdings of one acre rests on parish councils, but if they fail to carry out their obligations representations should be made to the county council, who are empowered to take action in default.

Provision of Small Holdings in the Island of Lewis.

MR. WEIR (Ross and Cromarty): To ask the Secretary for Scotland, having regard to the fact that the families of the landless cottars in the Island of Lewis represent a population of 7,500, equivalent to 25 per cent. of the inhabitants, and that there are 19,631 acres of farm lands in the island, not under lease, the bulk of which were scheduled by the Deer Forest Commissioners as suitable for new holdings, and that on 21st July last he undertook to ascertain the views of the proprietor as to the expediency of breaking up these farms for occupation by the people, will he now state the result of his inquiry.

(*Answered by Mr. Sinclair.*) I am informed that, in view of the heavy burden of local taxation in the Lewis, the proprietor is not willing to consider any proposals which might possibly have the effect of increasing expenditure or local burdens.

Petition of Carpenters and Joiners of the Admiralty Works Department.

MR. ARTHUR LEE (Hampshire, Fareham): To ask the Secretary to the Admiralty if his attention has been called to the petition of the carpenters and joiners of the Admiralty Works Department; whether he is aware that their petition, dated 1st January, 1907, has not yet been answered nor their prayer granted; whether the joiners in other departments have in the meantime received increases of pay; and whether the Admiralty can see its way to extending similar or proportionate privileges to the joiners of the Works Department.

(*Answered by Mr. McKenna.*) The whole subject is receiving consideration, and it is hoped that a decision will be arrived at shortly.

Stirling Castle.

MR. DUNDAS WHITE (Dumbartonshire): To ask the First Commissioner of Works if he can say when Stirling Castle passed under the control of His Majesty's Office of Works; and what steps have since been taken to preserve the buildings, to continue the military traditions, and to maintain the historic associations of the castle.

(*Answered by Mr. Harcourt.*) Stirling Castle passed under the control of His Majesty's Office of Works in December, 1906, when immediate steps were taken to rescue the ancient historic buildings from the condition of decay and defacement into which they were rapidly falling. Interesting original work of an architectural character has been discovered and preserved, and serious structural defects threatening the ruin of the actual fabric have been repaired. The military traditions remain undisturbed, the Castle being occupied by a garrison.

Work for Stepney Unemployed.

MR. B. S. STRAUS (Tower Hamlets, Mile End): To ask the President of the Local Government Board whether he has yet been asked to sanction any work of a useful character proposed to be given by the Metropolitan borough of Stepney to the unemployed.

(*Answered by Mr. John Burns.*) The reply is in the negative. I understand that the Central (Unemployed) Body have been in communication with the borough council on the subject, and that the latter have expressed their regret that at this juncture they are unable to submit a suitable scheme.

Old-Age Pension Claims from Ireland.

MR. DELANY (Queen's County, Ossory): To ask Mr. Chancellor of the Exchequer whether a quarter of the total old-age pension claims have been sent in from Ireland; and can he say what proportion of the Excise staff have been told off to grapple with the Irish claims.

(*Answered by Mr. Lloyd-George.*) From the Returns already furnished, more than a quarter of the total pension claims received have been sent in from Ireland. As a large proportion of the Excise staff are engaged upon duties other than or additional to those relating to old-age pensions the proportion which have been told off to grapple with the Irish claims cannot be given. At present 230 pension officers are employed in the actual investigation of claims in Ireland, aided in the clerical work by a large staff of assistant officers.

Expenditure out of Issues to meet Capital Expenditure by Government Departments.

Mr. BOWLES (Lambeth, Norwood): To ask Mr. Chancellor of the Exchequer whether he can state for each of the financial years 1905–6 and 1907–8 the total expediture out of issues to meet capital expenditure under various Acts by the War Office, the Admiralty, the Civil Service, and the Revenue Department respectively.

(*Answered by Mr. Lloyd-George.*) The total expenditure in 1905–6 out of issues to meet capital expenditure was as follows—

	£	s.	d.	£	s.	d.
By War Office:						
Under Military Works Acts, 1897 to 1903 - - - - -				1,287,415	14	2
By Admiralty:						
Under Naval Works Acts, 1895 to 1905 - - - - -	3,313,603	14	3			
Under Cunard Agreement (Money) Act, 1904 - - - -	710,015	8	10			
				4,023,619	3	1
By Civil Service:						
Under Land Registry (New Buildings) Act, 1900 - -	20,485	16	2			
Under Public Buildings Expenses Act, 1898 - - -	244,656	11	0			
Under Public Buildings Expenses Act, 1903 - - -	165,508	8	8			
Under Public Offices Site (Dublin) Act, 1903 - - - -	2,358	19	7			
				433,009	15	5
By Revenue Departments (Post Office):						
Under Telegraph Acts, 1892 to 1904 - - - - -				762,033	15	4
				6,506,078	8	0

I am not yet in possession of the figures of expenditure in 1907–8, except in regard to the expenditure under the Cunard Agreement Act, which amounted to £13,021 10s., completing the total provision of £2,600,000. The accounts for that year in respect of the other services will be laid before Parliament in due course.

Evicted Tenants—Case of John D. M'Manus.

Mr. VINCENT KENNEDY (Cavan, W.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state whether the claim of John D. M'Manus, son of John M'Manus, formerly tenant on the Brackenbridge estate, Florencecourt, or his mother the evicted tenant, will be dealt with in distributing the 140 acres of untenanted land acquired by the Estates Commissioners in County Fermanagh; and will he say if the present occupier is still unwilling to surrender the old home of these people.

(*Answered by Mr. Birrell.*) The Estates Commissioners inform me that the present occupier of the farm formerly held by John M'Manus is not willing to surrender it. The Commissioners are endeavouring to provide the widow of John M'Manus with a holding, but cannot say at present whether it will be on the lands referred to in the Question.

Poor Law Reform in Ireland.

Mr. PATRICK O'BRIEN (Kilkenny): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can say when the Government will introduce a Bill dealing with Poor Law reform in Ireland, based on the Report of the recent Viceregal Commission; and in what way it is proposed to deal with the grievances of which Poor Law officers complain.

(*Answered by Mr. Birrell.*) I understand that the Royal Commission on the Poor Laws and Relief of Distress will probably report before the end of the present year, when the whole question of Poor Law reform in England and Ireland will have to be considered.

Qualifications for Appointment as Irish Local Government Board Auditor.

MR. PATRICK O'BRIEN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state whether there has been a new rule made by the Local Government Board for Ireland which makes it impossible for any person to be appointed as Local Government Board auditor except he be either a barrister, solicitor, a chartered accountant, or must have been in the accounts department of a public office of State; and, if so, whether he will say whether this rule will extend to Poor Law and other local officers whose experience and ability qualify them for promotion to Local Government Board positions, and whose promotions to such positions would only be in accordance with the rules of other Departments of the State.

(*Answered by Mr. Birrell.*) The qualifications prescribed for the post are substantially as stated in the Question. Any person who fulfils them is eligible for appointment.

Applications under the Labourers Act in Banbridge Union.

MR. J. MACVEAGH (Down, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state the total number of applications under the various Labourers Acts in the Banbridge Union; the total number of cottages erected; the number of cottages in course of erection; and the number now under consideration.

(*Answered by Mr. Birrell.*) The Local Government Board inform me that the total number of cottages proposed to be erected in the Banbridge Union under the Labourers Acts was 214. Of these 117 have been authorised, and there are eight with regard to which appeals are pending. Twenty-two cottages authorised under the Orders of 1903 and 1904 have been erected. There has been a difficulty in obtaining tenders for twenty-three cottages authorised under the Order of 1906, for which a loan was sanctioned in November 1907, and the Board have suggested to the district council the advisability of having some of the houses built by direct labour as an experiment. As regards the remaining seventy-two cottages authorised under the Order of 1908, the Board await the council's application for sanction to the necessary loan.

Irish Evicted Tenant—Case of Mrs. Delany.

MR. DELANY: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state what steps, if any, have been taken by the Estates Commissioners to provide Mrs. Delany, now of 49, Marlborough Road, Donnybrook, Dublin, the representative of the late John Delany, who was evicted in 1884 from a farm of 111 acres Irish, on the estate of the late John George Adair, situated at Roskeen, Queen's County, with a suitable holding, as the evicted farm is in possession of a planter, the estate being now owned by Lord Digby, who has lately sold to the tenants.

(*Answered by Mr. Birrell.*) Mrs. Delany's application has been noted by the Estates Commissioners for consideration in connection with the allotment of untenanted land.

Distribution of the Grazing Farm of the late A. J. Owen.

MR. DELANY: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners have received an application made on behalf of the occupiers of uneconomic holdings and labourers in the neighbourhood, requesting that the untenanted grazing farm of Turfarney, the property of the late A. J. Owen, J.P., Shanavahy, Queen's County, situated near Rathdowney, should be purchased by them for redistribution; and can he say what course the Commissioners propose taking in this matter.

(*Answered by Mr. Birrell.*) The Estates Commissioners have received the application referred to, and have informed the applicant that if the owner institutes proceedings for sale under the Irish Land Act, 1903, they will have the property inspected in due course.

Nash Estate—Case of Patrick Cronin.

MR. SHEEHAN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether a claim has been received by the Estates Commissioners from Patrick Cronin, a sub-tenant to Timothy Mulcahy, Ballydaly, Millstreet, County Cork, on the estate of Major Nash, requesting that he should be admitted to the benefits of purchase on the same terms as the other tenants on this estate; and will he state what action is going to be taken in the matter.

(*Answered by Mr. Birrell.*) The Estates Commissioners will consider Patrick Cronin's application when they are dealing with the estate in its order of priority.

Irish Evicted Tenant—Case of William Bullman.

MR. WILLIAM ABRAHAM (Cork County, N. E.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state whether the Estates Commissioners have considered the report of their inspector upon the case of William Bullman, an evicted tenant on the estate of Mrs. Sarah Hyde, Ballindangan, County Cork; and if they hope shortly to effect his reinstatement.

(*Answered by Mr. Birrell.*) The Estates Commissioners inform me that their inspector's report in this case is under their consideration.

Relief of Distress in Ireland.

MR. HUGH LAW (Donegal, W.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether, with a view to relieving the distress consequent upon unemployment, the Irish Government propose to undertake any public works of permanent utility, such as those recommended by the recent Commissions upon Arterial Drainage and Reafforestation.

(*Answered by Mr. Birrell.*) The matter stands in the position outlined in my reply of 30th October to a Question on the subject asked by the hon. Member for North Kildare. The inquiries which I undertook to make on that occasion are proceeding, and it is not possible to make any further statement at present.

Irish Evicted Tenant—Case of Mrs. S. O'Donnel.

MR. HUGH LAW: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners have received an application from the representatives of the late John Derry, who was evicted from his holding in Inniscoo Island, County Donegal, about nine years ago, to be reinstated in his former holding; whether the application has been rejected, and, if so, upon what grounds; and whether the Commissioners will now favourably consider the claims of Derry's representatives to reinstatement under the provisions of the Evicted Tenants Act.

(*Answered by Mr. Birrell.*) The Estates Commissioners have received an application for reinstatement from Mrs. Sophia O'Donnel, daughter of John Derry, deceased, but they cannot see their way to depart from their decision not to take any action in the matter.

Royal Irish Constabulary Bill.

MR. SLOAN (Belfast, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can now state when he hopes to be in a position to proceed with the Royal Irish Constabulary Bill; and does he intend it to become law before the end of the present session.

(*Answered by Mr. Birrell.*) I trust that the necessary financial resolution will be passed by the Committee on Monday next, the 16th instant, and in that case the Bill will be introduced at the earliest possible moment, and will, I hope, become law before the end of the session.

QUESTIONS IN THE HOUSE.

Fleet Exercises.

MR. BELLAIRS (Lynn Regis): I beg to ask the First Lord of the Admiralty why the request of the Commander-in-Chief of the Channel Fleet, on the conclusion of the naval manœuvres, that the fleets might be combined for tactical exercises, was refused by the Admiralty.

THE SECRETARY OF THE ADMIRALTY (Mr. MCKENNA, Monmouth, N.): I can only repeat the reply I gave to my hon. Friend in answer to a similar Question on 1st August. I must decline to answer any Question relating to the manœuvres, the subject of which can only have been communicated to the hon. Member by a breach of confidence.

MR. BELLAIRS asked whether the right hon. Gentleman was aware that the request was made to the Admiralty by wireless telegraphy, and that the message was published in the *Naval and Military Record*, a journal which was often inspired by the Board of Admiralty.

MR. MCKENNA: No, sir, I am not aware of that fact.

MR. BELLAIRS: Is the right hon. Gentleman aware that I communicated the fact to him by letter, to which I received no reply.

MR. MCKENNA: I am not aware of that fact either.

MR. BELLAIRS: I beg to ask the First Lord of the Admiralty on what occasions have the fully commissioned ships of the Home Fleet comprised in the six battleships of the Nore division, or the eight battleships with nucleus crews in the Portsmouth and Devonport divisions, been placed under the present Commander-in-Chief of the Channel Fleet for tactical exercises in conjunction with the Channel Fleet of fourteen battleships; and whether the "Dreadnought" has ever been so exercised.

MR. MCKENNA: So far as it is in the public interest to reply to my hon. friend, I have already done so in my reply to the right hon. Gentleman the Member for Croydon, on **3rd November.**

Cowes Shipbuilding Yard.

MR. FELL (Great Yarmouth): I beg to ask the First Lord of the Admiralty if the usual average amount of new work has been placed with Messrs. White's yard at Cowes during the present year; and if about 700 men will be out of work very shortly at East Cowes owing to the lack of Admiralty work.

MR. MCKENNA: I cannot recognise that the term "average" is applicable to the allocation of Government work to private yards. The placing of Government orders must depend upon considerations of price and quality. I have no information which would enable me to reply to the last part of the Question.

MR. FELL: What orders have been placed this year?

MR. MCKENNA: I have not the figures. I will inquire.

Wages on Portsmouth Government Contract.

MR. T. F. RICHARDS (Wolverhampton, W.): I beg to ask the First Lord of the Admiralty whether his attention has been called to the fact that the firm of Messrs. Morrison and Mason, Government contractors at Portsmouth, are not observing the Fair Wages Clause in the payment of their labourers; and whether he will take action in the matter.

MR. MCKENNA: The matter is being investigated, and I must ask the hon. Member to be good enough to defer his Question for a fortnight.

Greenwich Hospital Pension.

CAPTAIN CRAIG (Down, E.): I beg to ask the First Lord of the Admiralty whether he can state if the 4,700 men qualified for, but not in receipt of, the Greenwich Hospital age pension are dealt with in order of precedence as vacancies occur and funds admit, or is it necessary to bring interest to bear on the Admiralty in order to have a man's name added to the list; is there a register of names of those eligible preserved; and can he state the average number of men added to the list of pensioners during the past five years.

MR. McKENNA: Pensioners eligible for Greenwich Hospital age pensions are entered in the register of candidates as such when they make application. Awards are made as vacancies occur by selection from the oldest and most necessitous applicants, and not in order of precedence. It is not necessary to bring interest to bear on the Admiralty in order to have a man's name added to the list, and no regard is paid to such interest. An average number of 439 per annum has been added to the list of men in receipt of the Greenwich Hospital age pension during the five years ended 31st March, 1908.

CAPTAIN CRAIG asked the right hon. Gentleman whether he was aware that the large number of 4,700 men were discharged under the impression that they were entitled to these pensions and whether they had no chance of getting them unless pressure was brought to bear upon the Admiralty.

MR. McKENNA replied they had every chance. It was only a question of money. Each case of necessity would be dealt with as soon as possible.

CAPTAIN CRAIG: Are those who are entitled to pensions advised to apply to the Admiralty if they desire to have them?

MR. McKENNA: A record is kept of everyone qualified for a pension and where the case is necessitous a pension is awarded as soon as funds will allow.

CAPTAIN CRAIG: If I send him the names of men in twenty necessitous cases will pensions be granted?

MR. McKENNA: If they are qualified and I have funds at my disposal they will receive pensions.

Liabilities of Special Reservists.

COLONEL LOCKWOOD (Essex, Epping): On behalf of the hon. Member for the Andover Division of Hampshire. I beg to ask the Secretary of State for War if he will state whether a man enlisting in the new Special Reserve is liable, whenever the Army Reserve is called out, to be sent abroad to his regiment and retained abroad for one year if hostilities are still in progress.

THE SECRETARY OF STATE FOR WAR (Mr. HALDANE, Haddington): Yes, Sir. This liability is set forth on the attestation paper and on the notice paper served to intending recruits prior to attestation.

The "Unemployed" Special Reservist.

COLONEL LOCKWOOD: On behalf of the hon. Member for the Andover Division of Hampshire, I beg to ask the Secretary of State for War if he will state whether the unemployed Special Reservist will receive 7s. per week clear, while the ordinary Special Reservist can only receive 4s. 11½d. clear of stoppages.

MR. HALDANE: The hon. and gallant Member is under a misapprehension. There is no such person as an unemployed Special Reservist. All Special Reservists draw pay alike according to the branch of service to which they belong and the rank they hold therein.

Health Standard for the Special Reserve.

COLONEL LOCKWOOD: On behalf of the hon. Member for the Andover Division of Hampshire, I beg to ask the Secretary of State for War if he will state what percentage of men have been refused enlistment in the unemployed Special Reserve owing to not being able to pass the health standard.

MR. HALDANE: Statistics of medical rejections for the Special Reserve are received quarterly. A general percentage worked out from these Returns would only be misleading, and therefore I have not attempted to compile figures showing the percentage of medical rejections.

Royal Ordnance Department Discharges.

COLONEL LOCKWOOD: I beg to ask the Secretary of State for War whether he will state how many men there are at the present time who are under three months' notice to be discharged from the Army Ordnance Department, and if any further discharges are contemplated; and whether, considering the present depressed condition of trade in Woolwich and elsewhere, he will reconsider the age limit of sixty.

Mr. HALDANE: There are sixteen men in the Army Ordnance Department at Woolwich Arsenal at present under three months' notice of discharge, and about twenty-five further discharges are contemplated before June next. Many of these men are entitled to pensions, and of the sixteen all but one are either pensionable or eligible for gratuities. Civilian subordinates may be called upon to retire at the age of sixty, but if fully able to discharge their duties properly may, in very exceptional circumstances, be retained from year to year to sixty-five. These discharges will make way for a number of younger men waiting to be taken on.

First-Aid to Wounded in the Army.

Mr. CARLILE (Hertfordshire, St. Albans): I beg to ask the Secretary of State for War whether, in view of the fact that special qualifications are necessary for giving first-aid to the injured and sick in the battalions of the Territorial Army, he will discontinue the present arrangements under which the musicians in the band of the battalion are called upon to render this assistance, whether he is aware that bandsmen dislike having this duty put upon them, for which they have no special qualifications; and whether he will instruct commanding officers of territorial battalions to provide an independent section to give first-aid to the injured and sick.

Mr. HALDANE: The hon. Member has apparently lost sight of the fact that the bandsmen in the Regular Army are trained as stretcher-bearers and in first-aid to the wounded. I am not aware of any reason why the bandsmen in the Territorial Force should not be competent to carry out similar work.

Mr. CARLILE was understood to ask if the present position of Territorial bands was the most suitable one for this purpose.

Mr. HALDANE replied that the Territorial bands were on the same footing as those of the Regular forces, and it was not deemed expedient to make a new departure in this matter.

Beresford Barracks, the Curragh.

Mr. ASHLEY (Lancashire, N., Blackpool): I beg to ask the Secretary of State for War whether it is proposed to keep troops stationed during the coming winter in the Beresford barracks, at the Curragh, Ireland, in view of the fact that these barracks are stated in the Army Medical Department Report for the year 1907 to be rapidly decaying and getting beyond repair, the rooms being draughty, cheerless, and very cold in winter.

Mr. HALDANE: It appears on inquiry that the barracks in question, which are huts of concrete and as such inferior to permanent barracks, are not rapidly decaying or beyond repair, with the exception of the commanding-officer's quarters. Provision is made for the extra issue of fuel in Ireland in unusually damp or cold weather. The barracks will be occupied if necessary during the winter.

Mr. ASHLEY: Will the right hon. Gentleman take steps to have the official Report for 1907 corrected?

Mr. HALDANE: We are quite aware of the fact.

Captain CRAIG: Is the right hon. Gentleman aware that the barrack accommodation in Ireland is very inferior to that in England?

Mr. HALDANE: A great deal has been done in recent years to improve it, and in some cases the Irish barracks are better than the English.

Officers' Travelling Allowances.

Mr. ASHLEY: I beg to ask the Secretary of State for War whether it is proposed in future to give free travelling allowance to officers' wives and families, by land as well as by sea, in the event of such officers being moved from a station of permanent duty, in view of his statement in Committee of Supply on 8th March, 1906, that the officer's wife and family will in future have free conveyance if the officer is sent away on duty.

Mr. HALDANE: The promise to which the hon. Member alludes, only referred to conveyance by sea. There is no present intention of extending the concession in the manner suggested in the Question.

MR. ASHLEY: If it is right to give free conveyance by sea, why not by land?

MR. HALDANE: We may consider that hereafter.

MR. ASHLEY: Do I understand the right hon. Gentleman will take the earliest opportunity of extending the privilege to land conveyance?

MR. HALDANE: One must consider the needs of the service first and arrange accordingly.

Regimental Canteen Contracts.

MR. LEVERTON HARRIS (Tower Hamlets, Stepney): I beg to ask the Secretary of State for War if he can say whether any regimental canteens are bound by any agreement or undertaking or is otherwise under any obligation to obtain a supply of any intoxicating liquor from any particular person; and, if so, can he state how many canteens are so bound.

MR. HALDANE: The contracts for the supply of articles to the regimental institutes are managed regimentally, and the War Office has, therefore, no information on the subject raised in the Question. It may be added that the Regulations lay down that no contract shall be for a longer period than six months, and also that in order to secure to the soldier the combined advantages of low prices and good quality, a sytsem of competition should be adopted.

Special Reservists and Jury Service.

CAPTAIN CRAIG: I beg to ask the Secretary of State for War whether he can state if it is the intention of the Army Council to exempt officers and men of the Special Reserve, whether on full pay or not, from serving on any jury, as is the case with officers and men of the Territorial Force; and, if not, can he state why the privilege is extended to the junior branch of the service and denied to the senior.

MR. HALDANE: I have nothing to add to the reply which I gave to a Question put on this subject by the hon. and gallant Member on 27th July last.

CAPTAIN CRAIG asked for an answer to the last part of his Question.

MR. HALDANE said there was no analogy between these officers and those of the Territorial Force.

Pointed Bullets.

MR. HUNT (Shropshire, Ludlow): I beg to ask the Secretary of State for War whether, in view of the character and efficiency of the pointed bullets of some foreign nations and of the fact that much more serious wounds would be caused by them than by the bullets used by British troops, he will say what steps he proposes to take to secure that British troops shall be as effectively armed as any possible enemy.

MR. HALDANE: The whole question of improving the ammunition is now under consideration, and I am not, therefore, able to make any statement as to the steps which will be taken in regard to pointed bullets.

MR. HUNT: Is it not the case, and has it not been the case for some time, that the British soldier has only been able to drill quite a small hole into the enemy, while the enemy has been able to inflict a large, jagged wound upon the British soldier? How long is this to continue.

MR. HALDANE: I am not aware that it is so. There are a great many pros and cons to be weighed in connection with these bullets, which, I would point out, have only been adopted by foreign countries in principle. We are not far behind other nations in these matters.

Attempt upon the life of the Lieutenant-Governor of Bengal.

*MR. REES (Montgomery Boroughs) asked for information as to the attempt upon the life of the Lieutenant-Governor of Bengal.

THE UNDER-SECRETARY OF STATE FOR INDIA (Mr. BUCHANAN, Perthshire, E.): The Secretary of State has learned with deep concern that a criminal attempt, happily unsuccessful, was made on the life of the Lieutenant-Governor of Bengal on Saturday. The information supplied to the Secretary of State does not give any details beyond those contained in this morning's newspapers.

Gyroscope Mono-Railway.

MR. CATHCART WASON (Orkney and Shetland): I beg to ask the Under-Secretary of State for the Colonies if he has yet had an opportunity of inspecting the working model of Mr. Brennan's Gyroscope Mono-Railway at Chatham, with the view to its application in opening out country in East and West Africa.

THE UNDER-SECRETARY OF STATE FOR THE COLONIES (Colonel SEELY, Liverpool, Abercromby): I understand that my predecessor has inspected the model, and it has also been inspected by officers with experience of the conditions of tropical Africa. Until the invention has been tested in a practical manner, in this country, it is not possible to obtain a definite report as to its suitability to those conditions.

MR. ARTHUR LEE (Hampshire, Fareham) asked whether the model in question was a full-size working model, and whether the hon. Gentleman would afford facilities for Members of the House to see it.

COLONEL SEELY: It is a most interesting invention, and I will consider whether it will be possible to provide facilities for hon. Members to see it.

Natal Native Administration.

MR. BYLES (Salford, N.): I beg to ask the Under-Secretary for the Colonies if the Act of the Natal Parliament providing for the better administration of native affairs is now under the consideration of the Colonial Office; is he aware that its provisions are strongly objected to by influential friends of the natives and by local newspapers in the Colony; and, in these circumstances, will be consider carefully before advising that the Crown shall give assent to this measure.

COLONEL SEELY: The Bill has not yet reached the Colonial Office in its final form. When it is so received from the Governor, it will have careful consideration.

British Indians in the Transvaal.

MR. J. M. ROBERTSON (Northumberland, Tyneside): I beg to ask the Under-Secretary of State for the Colonies whether he is aware that as recently as 10th October there were under detention at Barberton, in the Transvaal, seventeen boys, from nine to fifteen years of age, the children of some of the fifty-eight British Indians then in gaol at Barberton for not having applied for registration certificates before entering the Transvaal; whether these British-Indian parents were all holders of permits under the Peace Preservation Ordinance, 1903; and what has become of these children.

COLONEL SEELY: According to an official Report fifty-nine adult Asiatics, accompanied by seventeen minors entered the Transvaal at Komati Poort on 29th September. Fifty-eight adults were on 1st October convicted at Barberton of being prohibited immigrants, and sentenced to a fine of £25 each, or in default to undergo simple imprisonment for two months. The fact that they held permits under repealed legislation did not entitle them to enter. The children are presumably being cared for, but inquiry shall be made.

DR. RUTHERFORD (Middlesex, Brentford): I beg to ask the Under-Secretary of State for the Colonies whether his attention has been drawn to an appeal signed by ten ministers of religion in the Transvaal, and addressed to the Transvaal Government, complaining of the treatment of a large number of Indians on their way from Delagoa Bay to their home in the Transvaal, and appealing for careful inquiries, and praying that the religious objections of Asiatics on certain elements of prison diet might be respected; and whether he proposes to take any steps in the matter.

COLONEL SEELY: No, Sir. I have not seen the appeal referred to. As to the dietary scale I would refer my hon. friend to a full Answer on the subject which I gave to the hon. Member for Preston on Tuesday last.

MR. HAROLD COX (Preston): I beg to ask the Under-Secretary of State for the Colonies whether the Asiatics Registration Amendment Act of 1908, passed to validate the voluntary registration of certain Asiatics and to make further provision for Asiatic registration, was intended and understood by His Majesty's Government to supersede Act No. 2, of 1907, of the Transvaal; whether he is aware that since the sanction of the new law a number of British-Indians within the Transvaal have been prosecuted and sentenced under the old one, and that British-Indians claiming the right to re-enter the Transvaal are being kept out pending application for registration under the new law, while Indians within the Colony are being prosecuted and deported under the old one; and whether he proposes to take any action in the matter.

COLONEL SEELY: The Act of this year was intended, and was understood by His Majesty's Government, not to supersede but to amend the Act of 1907, as is, I think, clear from the Governor's telegram of 24th August, printed at page 32 of Cd. 4327. Some Asiatics were registered under the old Act and others come under the new.

Dinizulu's Defence.

MR. MACKARNESS (Berkshire, Newbury): I beg to ask the Under-Secretary of State for the Colonies whether the Secretary of State is aware that the resources at the disposal of Dinizulu for his defence are exhausted; and whether, in view of the special obligations which have been incurred by the Imperial Government towards this chief, it is the intention of His Majesty's Government to see that his defence is adequately provided for.

COLONEL SEELY: The Secretary of State has telegraphed to the Governor of Natal for further information as to the facts, and I am not, therefore, at the moment, in a position to make any statement in reply to my hon. friend's Question.

British Policy in Egypt.

MR. WILLIAM REDMOND (Clare, E.): I beg to ask the Secretary of State for Foreign Affairs whether Sir Eldon Gorst's statement that Egypt already had a constitution that had been laid down by the organic law, and that the British people were quite ready to co-operate with the Egyptians for its gradual extension as fast as the intellectual standard of the population warranted such a course, is an official declaration of the British Government being ready so to co-operate.

I beg also to ask the Secretary of State for Foreign Affairs whether Sir Eldon Gorst's statement to the effect that there was absolutely no truth in the report that Great Britain would shortly proclaim a protectorate over Egypt or was considering the question of annexation, and that Great Britain had given solemn pledges to Turkey and to the European Powers to respect the Sultan's rights in Egypt and did not desire to go back on that engagement, may be taken as an official declaration of the British Government's pledges and its policy in regard to Egypt.

THE UNDER-SECRETARY OF STATE FOR FOREIGN AFFAIRS (Mr. MCKINNON WOOD, Glasgow, St. Rollox): My right hon. friend begs to reply to the hon. Member's two Questions on this subject together. The language used by Sir Eldon Gorst is correctly quoted, and is approved by His Majesty's Government.

MR. WILLIAM REDMOND asked whether Sir Eldon Gorst's statement was to be taken as a declaration of policy on the part of the Government.

MR. MCKINNON WOOD: I have really answered that Question.

Russian Officers in the Persian Army.

*MR. REES: I beg to ask the Secretary of State for Foreign Affairs whether there is any reason to believe that the Russian officers employed in the Persian service have acted otherwise than according to orders received from the Persian authorities; and whether the internal independence of Persia is a fundamental condition of the Anglo-Russian Convention.

MR. MCKINNON WOOD: The Answer to the first Question is in the negative. The second Question is answered by the text of the Agreement referred to.

British Indians at Lorenzo Marques.

SIR WILLIAM BULL (Hammersmith): I beg to ask the Secretary of State for Foreign Affairs whether he is aware of the different treatment meted out in the British Consulate at Lorenzo Marques, Mozambique, to British-Indians as compared with Europeans; whether the offices of the British Consul are the only public buildings in the town into which British-Indians have to enter by the back way; and, if so, what action he proposes to take.

MR. MCKINNON WOOD: My right hon. friend had not heard before that there was any such practice at the British Consulate, nor would he have thought it probable. If the hon. Member will forward the information which has led him to make the statement, inquiries shall be made.

Inter-Parliamentary Union.

*MR. REES: I beg to ask Mr. Chancellor of the Exchequer whether, seeing that the Inter-Parliamentary Union, although a non-Party organisation, represents only one class of opinion, he will reconsider the expediency of subsidising its operations out of public funds.

THE CHANCELLOR OF THE EXCHEQUER (Mr. LLOYD-GEORGE, Carnarvon Boroughs): I do not agree with my hon. friend that the Inter-Parliamentary Union represents only one class of opinion, nor do I understand to what class of opinion he refers.

Colonial Bank Account, and Income-Tax.

MR. CHARLES MACVEIGH (Donegal, E.): I beg to ask Mr. Chancellor of the Exchequer whether he is aware that income-tax is charged here on money drawn from a current account in a bank in a British Colony, but is not charged on capital; and whether he will state when and where such moneys become capital and where and when such moneys cease to be capital.

MR. LLOYD-GEORGE: The question whether remittances from a Colony are to be regarded as remittances of profits or of capital is a question of fact, which in any case of doubt would be decided on appeal by the District Commissioners of Taxes.

Fiscal Policy of International Trade.

MR. MADDISON (Burnley): I beg to ask Mr. Chancellor of the Exchequer whether he will shortly lay upon the Table of the House, in accordance with the promise which was understood to have been given, the document to which he referred in the Debate on the Second Reading of the Finance Bill on 1st June last, as prepared by one of the ablest masters of political economy, and from which he quoted figures in regard to the relative cost of living in Germany and the United Kingdom.

MR. LLOYD-GEORGE: The Paper in question, a Memorandum on the Fiscal Policy of International Trade, by Mr. Alfred Marshall, until recently Professor of Political Economy at Cambridge, is now ready for issue, and I propose to lay it at once upon the Table of the House. The paper was originally prepared in 1903, and Mr. Marshall, when consenting to its publication, kindly undertook to revise it, which has caused a slight delay in its presentation to Parliament.

Ceylon Firm's Income-Tax.

MR. C. MACVEIGH: I beg to ask Mr. Chancellor of the Exchequer whether the Inland Revenue surveyors demand income-tax on the estimated profits of a firm established in Ceylon, and entirely directed, controlled, and managed by the partners residing there; whether the profits are liable to income-tax owing to the senior partner residing here but taking no part in the management of the firm in Ceylon, any money received by him having already paid income-tax in the Colony; and, if not, whether he will take immediate steps to end all such demands.

MR. LLOYD-GEORGE: If the hon. Member will inform me of the name of the firm to which he refers, and the name and address of the senior partner, I will investigate the case. In the absence of this information, it is impossible to answer the Question.

Patriotic Fund Pensions.

MR. SNOWDEN (Blackburn): I beg to ask Mr. Chancellor of the Exchequer if he is aware that the Patriotic Fund Commissioners have given notice of their intention to raise the amount of the pension to persons over seventy so that they will be disqualified for an old-age pension; that this involves a loss of £2 5s. a year to each pensioner; and what action does he propose to take in the matter.

MR. LLOYD-GEORGE: I am informed that the allowances to certain widows from Patriotic Funds have been increased from £26 to £31 11s. a year, thus disqualifying them for old-age pensions. These widows, I understand, are widows of able seamen or private soldiers, or equivalent ranks, on special funds, which are in a financial position to admit of such increase. I am also informed that the authority for this action, having been taken is the Committee of the Royal Patriotic Fund Corporation charged with the administration of those funds under the direction of the Corporation, and that they adopted this action because they considered that the State should not be taxed to provide old-age pensions in the circumstances and that the widows will be adequately and generously provided for by such an allowance as £31 11s. a year. On other funds which are not in a financial position to allow of similar allowances being granted, the widows have been informed that they should apply for old-age pensions and notify the committee of the result of their applications. I do not propose to take any action in the matter.

Imprisonment of Rate Defaulters.

MR. BYLES (Salford, N.): I beg to ask the President of the Local Government Board how many persons in London have been sent to prison in the year 1907 for non-payment of rates; and can he give the totals for England and Wales, for Scotland, and for Ireland.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, W.): I beg to answer this Question on behalf of my right hon. friend. I can only repeat the Answer I gave last Tuesday to a somewhat similar Question by the hon. Member for Darlington—that the figures are not available, and that even if it were possible to get accurate returns, their collection would, I fear, give the local authorities more trouble than the result would justify. The prison records do not distinguish rate defaulters from ordinary civil debtors. As regards Scotland and Ireland, the question is one for the Secretary for Scotland and the Chief Secretary respectively.

Case of John Hay.

MR. RADFORD (Islington, E.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the case of John Hay, who was convicted at the Central Criminal Court on 28th May, 1883, on a charge of receiving stolen goods and sentenced to seven years penal servitude, was released on ticket-of-leave on 8th November, 1883, and received a free pardon from Her late Majesty Queen Victoria, on 9th May, 1885; whether he is aware that in consequence of his wrongful conviction and imprisonment John Hay has suffered heavy pecuniary loss; and whether he will consider and advise whether compensation may be properly granted to him, as was recently done in the case of Adolph Beck and in many previous cases of wrongful conviction.

MR. GLADSTONE: This case has been repeatedly considered by my predecessors since 1885. They decided that there were no sufficient grounds for granting compensation out of public money. I regret that I cannot re-open the question.

*MR. RADFORD: Does the right hon. Gentleman consider that the fact that the misfortune has been suffered by this man since 1885 is a reason why he should not receive compensation?

MR. GLADSTONE: Having regard to all the circumstances I am afraid I can add nothing to my Answer.

Union Jack Motor Omnibuses.

SIR HENRY CRAIK (Glasgow and Aberdeen Universities): I beg to ask the Secretary of State for the Home Department whether he has any official information showing that the motor omnibuses which bear the inscription of "Union Jack" are of a faulty type and are specially liable to cause noise and nuisance in the streets; and, if so, why these omnibuses are licensed, to the discouragement of companies which provide better vehicles.

MR. GLADSTONE: I am informed that three different types of motor omnibuses run under the name of "Union Jack." It cannot be said that the types are faulty, but individual vehicles may, of course, become objectionable through not receiving attention in good time.

Case of George Gamble.

MR. GEORGE ROBERTS (Norwich): I beg to ask the Secretary of State for the Home Department if his attention has been directed to the case of Mr. George Gamble, who was assaulted by Police Constable Edwin Ashford, of the H division, Metropolitan Police, on 25th August, 1906, consequent upon which the matter was investigated by the recent Police Commission, resulting in Ashford being indicted at the Central Criminal Court on 23rd October last and sentenced to nine months imprisonment with hard labour; whether he is aware that Gamble has been taken by Detective Sergeant Derrent and another officer to the office of Mr. Muskett, a solicitor, who offered Gamble £100 as maximum compensation on behalf of the Commissioner of Police, that Gamble declined this on the ground of inadequacy, but upon being led to believe that if the offer was refused he would get nothing he verbally accepted; whether the proceeding was irregular; and whether he will have the matter re-opened with a view to the merits of the case being fully considered and ampler compensation awarded, especially as Gamble is permanently injured and incapacitated from regularly following his employment as a result thereof.

*MR. GLADSTONE: No compensation has been tendered to Gamble, the police authority not being liable for the misconduct of the constable. A sum of £100, however, was offered purely as a compassionate grant. No pressure whatever was brought to bear beyond advising him to allow this money to be held in trust for him. I am informed that Gamble, as yet, has neither accepted nor refused the offer. I must add that Ashford has now applied to the Court of Criminal Appeal for leave to appeal against his conviction.

Case of Mary Manning.

MR. BYLES: I beg to ask the Secretary of State for the Home Department whether he is aware that Miss Mary Manning, who was among the twelve suffragists who were committed to one month's imprisonment in the third class by the Westminster Police Court magistrate last Thursday, is the daughter of a clergyman and a graduate in honours at the London University; is he aware that this was her first offence and was committed without any criminal intent; and does any power reside in the Home Office to modify the sentence or the prison treatment to which she is subjected.

*MR. GLADSTONE: This lady has already been transferred to the second division by order of the magistrate.

MR. BYLES: The right hon. Gentleman has not answered the last part of the Question. What are the limits of the Home Secretary's power in modifying sentences or treatment?

*MR. GLADSTONE: That opens up a large question, but my hon. friend will know that I have jurisdiction as regards Prison Rules, but statutory Prison Rules when made have to be observed.

Walworth Road Motor Fatality.

MR. HAROLD COX: I beg to ask the Secretary of State for the Home Department whether his attention has been called to an accident which occurred in the Walworth Road on Wednesday last, when a motor omnibus collided with a ladder killing one man and seriously injuring two others; and what steps he proposes to take for the better protection of the people of London against these dangerous vehicles.

*MR. GLADSTONE: It appears that the death and the injuries resulted from the overthrow of a ladder, caused by the omnibus; an inquest will be held to-day. I fear that no steps can be taken which would remove the risk of the occurrence of an accident of this nature.

Deaths by Motor Vehicles.

MR. HAROLD COX: I beg to ask the Secretary of State for the Home Department whether he is aware that the number of deaths caused by motor-vehicles within the Metropolitan Police District has risen steadily from six per annum in 1902 to 123 per annum in 1907, and that the number of persons injured has increased in the same period from 319 per annum to 5,362; and what steps he proposes to take to prevent further loss of life and limb from this cause.

*MR. GLADSTONE: I am aware of the figures which the hon. Member quotes. I must point out that he includes accidents from tramcars driven by motor-power, which accounted for 22 of the fatal accidents and 2,119 of the non-fatal for 1907; and that, owing to the great increase in the number of motor vehicles, an increase in the number of accidents caused by them was inevitable. But the number of accidents is very serious, and the subject receives the constant attention of the police, who do all in their power to prevent them, and, when they are the result of dangerous or negligent driving, to bring the offenders to book.

MR. HAROLD COX: May I ask the right hon. Gentleman if he has any control over London County Council tramcars, and if he is aware that they sometimes exceed the speed limit?

*MR. GLADSTONE: No, Sir. That rests with the Board of Trade.

MR. MACKARNESS: Is the right hon. Gentleman aware that a man was killed in Whitehall the other day by a motor-car which was admitted by the driver to be going at sixteen miles an hour?

*MR. GLADSTONE: Perhaps my hon. friend will supply me with particulars of the case.

Tied Houses.

MR. BARNARD (Kidderminster): I beg to ask the Secretary of State for the Home Department how many on-licences have been suppressed under the 1904 Act; how many of these were tied houses; and how many were free houses.

*MR. GLADSTONE: During the years 1905, 1906 and 1907, 2,805 on-licences were extinguished under the compensation provisions of the Licensing Act, 1904. I have no information as to how many of these houses were tied; and I am not yet in possession of the figures of extinctions in 1908.

MR. BELLOC (Salford, S.): Have the Government no statistics as to the number of tied houses?

*MR. GLADSTONE: No, Sir, but it is known that something like 90 per cent. are tied.

MR. BARNARD: Cannot the right hon. Gentleman get the actual figures?

*MR. GLADSTONE: Not with accuracy.

Prosecution of Motor Owners.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to the fact that, on several occasions recently, gentlemen of position have grossly insulted the Metropolitan Police when their chauffeurs have been stopped for the offence of driving motor cars at an excessive speed; and whether he will issue instructions to the Metropolitan Police that when a chauffeur is charged with such an offence, committed when his master was on the car, they shall carefully consider whether the circumstances were such as would just proceeding also against the master for aiding and abetting or counselling and procuring the offence.

***Mr. GLADSTONE**: My attention had not previously been drawn to this matter, except by observing some newspaper reports. I understand from the Commissioner that, in cases of the nature indicated in the hon. Member's Question, the police would be prepared to proceed against the owner for abetting, should the circumstances justify such a course.

Mr. PICKERSGILL: Have the Metropolitan Police in any single instance prosecuted the owner as well as the driver?

***Mr. GLADSTONE**: I cannot answer that Question without notice.

Mr. PICKERSGILL: Will the right hon. Gentleman give the police instructions as suggested?

***Mr. GLADSTONE**: The police are at perfect liberty to take action if they think it advisable to do so.

Compensation for Suppressed Licences.

Mr. BARNARD: I beg to ask the Secretary of State for the Home Department if he can state the amount of compensation paid to the houses suppressed in 1905–6 which were assessed under Schedule A at £20,145; and what amount of compensation these houses, now assessed under Schedule A at £14,442, would have received in each of the thirteen years reduction period of the Licensing Bill.

***Mr. GLADSTONE**: I am informed by the Commissioners of Inland Revenue that the total amount of compensation awarded by them in the years 1905 and 1906, in respect of the houses assessed in the aggregate to Schedule A at £20,145, was £455,117. To answer the second part of the Question would involve complicated calculations which, in view of the provisions of Clause 45 of the Bill, could not, in my opinion, be made with any approach to accuracy.

Mr. BARNARD: Cannot the right hon. Gentleman try it and thus enable us to discuss the Report stage of the Bill with some knowledge of the facts?

***Mr. GLADSTONE** replied in the negative.

Mr. JAMES HOPE (Sheffield, Central): Cannot we have the figures for the first of the thirteen years' reduction period?

***Mr. GLADSTONE**: It is hardly a matter for me to deal with.

Kidderminster Licences.

Mr. BARNARD: I beg to ask the Secretary of State for the Home Department if he will state the present number of on-licences, of off-licences, of on-licensees who brew and sell their own beer, and on-licensees in Kidderminster who brew and sell their own beer in Kidderminster.

Mr. GLADSTONE: The latest available statistics as to licensed premises in England and Wales show 97,554 on-licences and 25,143 off-licences. I am informed by the Inland Revenue Commissioners that it would be a matter of considerable difficulty to determine the number of on-licensees throughout the country who brew their own beer, but that it has been ascertained that in Kidderminster, where there are 131 on-licences and twenty-nine off-licences, fifty-two licence-holders brew their own beer.

Licensing Calculation.

Mr. BARNARD: I beg to ask the Prime Minister how the calculation proposing to reduce the on-licences from about 97,000 to 68,000 is arrived at; whether it professes to give to each of the licensing districts exactly the maximum number of licences permitted by Schedule I of the Licensing Bill; and, if not, to state the deviations.

Mr. GLADSTONE: I beg to answer this Question on behalf of my right hon. friend. I can only repeat what I and my colleagues have said before, that the calculation that some 30,000 or 32,000 licences will be extinguished under the statutory reduction provided for in the Licensing Bill does not profess to rest on an exact assignment of licences to particular areas, but represents the best estimate which the Government could make for the purpose of assisting the House to judge roughly the total effect of the statutory reduction.

Licensing Administration Expenditure.

SIR EDWARD SASSOON (Hythe): I beg to ask the Prime Minister whether he would give some facility on the Report stage of the Licensing Bill for the purpose of considering the expediency of the Licensing Commission's paying the whole of the disbursements in respect of the charges in connection with the administration of licences, and so exempting local rates from the burden imposed by subsection 2 of Clause 28.

MR. GLADSTONE: I beg to answer this Question on behalf of my right hon. friend. I do not think that it is possible to give Clause 28 of the Licensing Bill any preferential treatment in the allocation of time on the Report stage. It is to be observed that the expenses of justices and their clerks provided for in the clause are not wholly concerned with compensation work; and they are incurred for the benefit of the locality. It seems, therefore, a fair arrangement that one-half should be paid out of the compensation fund and one-half out of the rates, rather than wholly out of the compensation fund, as suggested by the hon. Baronet.

SIR EDWARD SASSOON: Will that arrangement continue after the reduction period?

MR. GLADSTONE: That will be a matter for consideration.

Unemployment in Germany and United Kingdom.

MR. J. M. MACDONALD (Falkirk Burghs): I beg to ask the President of the Board of Trade what, according to the official figures, have been the proportionate increases in unemployment in Germany and the United Kingdow between the corresponding periods of 1906 (when unemployment in both countries was at its lowest point since 1903) and 1908.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. CHURCHILL, Dundee): Taking the mean of the percentages of trade union members reported unemployed during the present year and comparing it with the mean for the corresponding period of 1906 it would appear that the proportionate increase in the percentage has been in the United Kingdom, 115 per cent. and in Germany 145 per cent.

MR. J. M. MACDONALD: May I infer from the right hon. Gentleman's Answer that there has been a greater instability of employment in Germany than in Great Britain during the period covered by the figures?

MR. CHURCHILL: I should not like to say that without having an opportunity of considering all possible information.

MR. FELL: May I ask the right hon. Gentleman if there are "hunger marchers" parading the streets of most of the towns in Germany?

*MR. SPEAKER: That does not arise out of the Question.

MR. JAMES HOPE: Will the right hon. Gentleman say what are the actual proportions of unemployment in both countries at present.

MR. CHURCHILL: I do not think the material for making an accurate comparison exists.

SIR GILBERT PARKER (Gravesend): Are the bases of the figures of unemployment the same in England as in Germany, and are the conclusions arrived at in the same way?

MR. CHURCHILL: My Answer applies strictly to the basis mentioned in the Question.

SIR JOHN RANDLES (Cumberland, Cockermouth): Are we to understand from the right hon. Gentleman that there is more unemployment in this country than in Germany at the present time?

*MR. SPEAKER: That is outside the Question on the Paper.

Strangford Bar Buoy.

CAPTAIN CRAIG: I beg to ask the President of the Board of Trade whether he is aware that no steps have yet been taken to moor a temporary buoy off Strangford Bar, that yet another ship, the "Mehall," went ashore close to Ballyquinton Point on the 3rd instant, and that with the advent of winter the local inhabitants fear serious disaster if the Commissioners of Irish Lights do not take prompt steps; and whether he proposes to take any action in the matter.

MR. CHURCHILL: I am informed by the Commissioners of Irish Lights that they have arranged to have the proposed temporary lighted buoy placed off Strangford Bar early this week.

Poor Relief Expenditure.

MR. HUNT: I beg to ask the President of the Local Government Board whether he could give the amount paid in poor relief in Great Britain, Germany, and the United States, respectively, for the year 1906.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. JOHN BURNS, Battersea): The total expenditure of local authorities in Great Britain on the relief of the poor in the year 1906–7 was £15,379,600. Similar information is not available in regard to the German Empire and the United States of America.

Motor Speed Limits—Applications by Local Authorities.

MR. CATHCART WASON: I beg to ask the President of the Local Government Board whether the Local Government Board have refused, without local inquiry, the application of any local authority to reduce the speed of motors under Section 9 of the Motor Act, 1903; and, if so, can he state on what grounds such refusal for inquiry is justified.

MR. JOHN BURNS: I do not find that any application made to the Local Government Board under Section 9 of the Motor Car Act, 1903, has been refused without local inquiry.

Berlin Night Shelters.

EARL WINTERTON (Sussex, Horsham): I beg to ask the President of the Local Government Board whether the figure of 800,000 relating to persons annually relieved in the night shelters of Berlin represents separate individuals; and, if not, can he give any estimate of the number of separate individuals included in this total.

MR. JOHN BURNS: I am afraid I must refer the noble Lord to Mr. Dawson's book "The German Workman" from which the figures mentioned are taken. The Answer to the latter part of the Question is in the negative.

Imports of Meat—Christian and Jewish Standards of Fitness.

MR. HUNT: I beg to ask the President of the Local Government Board whether he is aware that thousands of foreign cattle imported into this country are rejected as unfit for food, on the ground of disease, by the Jewish authorities, but are sold to and consumed by Christians and others; and whether he proposes to take any action in the matter.

MR. JOHN BURNS: It is the fact that foreign carcases which, for one reason or another, have been rejected by Jewish examiners as improper for Jewish consumption are subsequently sold for food; but I do not find that I have received any representations to the effect that the carcases have been rejected on account of disease which renders them unfit for human food. In consequence of the requirements of Jewish law, carcases would be rejected by their examiners owing to the presence of conditions to which no objection would or need be taken by qualified meat inspectors of sanitary authorities.

Accidents through Motor Traffic.

MR. HAROLD COX: I beg to ask the President of the Local Government Board whether he is aware that the number of persons injured by motor vehicles in the Metropolitan Police District, with a population of about 6,000,000, in the year 1907 was 5,362, and that during the same year the number of persons injured in the German Empire, with a population of over 60,000,000, was only 2,400; and whether he will seek the advice of the German authorities with a view to the improvement of English legislation relating to motor vehicles.

MR. JOHN BURNS: The figures quoted in regard to the Metropolitan Police District include 2,119 accidents due to tramcars. I do not know whether the corresponding figures for Germany are precisely comparable or not. It is possible, I think, that other circumstances besides differences in legislation have a share in producing the contrast to which my hon. friend calls attention. Among them is the much smaller number of motor cars registered in Germany than in the United Kingdom. So far as I can learn the number of motor cars registered in the Administrative County of London (which is a much smaller area than the Metropolitan Police District) is only slightly less than the number of cars registered in the whole of Germany. I shall be happy to consider suggestions from any source which may be useful in relation to motor cars.

SIR GILBERT PARKER was understood to ask for the figures relating to different classes of motor vehicles.

MR. JOHN BURNS said the detailed figures were: Motor cars, 23,717, London; 16,214, Germany. Heavy motors, 1,980, London; no figures for Germany. Motor cycles, 9,211, London; 19,808, Germany.

MR. A. DEWAR (Edinburgh, S.) asked whether there was a twenty-mile speed limit in Germany.

MR. JOHN BURNS: That I could not say at the moment.

MR. MACKARNESS asked whether the right hon. Gentleman had any record of the number of motor car accidents in the United Kingdom this year?

MR. JOHN BURNS: No, Sir; the figures are only obtainable up to date for London, but I will do my best to get complete statistics for the United Kingdom.

MR. HAROLD COX asked whether in Germany there was a speed limit of nine miles in all villages.

MR. JOHN BURNS: As one who was in Germany last year, I can only say I did not see that speed limit.

American Tinned Meat.

MR. HUNT: I beg to ask the President of the Local Government Board whether, in view of the revelations of the methods of the system of preparing American tinned meat a few years ago, he has proofs that the methods now employed are as well inspected and as clean and sanitary as those in this country; whether, as regards fat cattle, he is aware that, in the great majority of cases, tuberculous disease is only apparent in the liver and lungs which, in the case of chilled, frozen, or tinned meat, are not sent to this country; and whether he has any clear proof that, if the lungs or liver are found affected with tuberculosis in cattle killed abroad, there are any regulations which really prevent the meat of cattle so affected from being imported into this country and used as food.

MR. JOHN BURNS: I can hardly institute a comparison between the two countries as to the sanitary conditions of the places in which meat is prepared for food; but I am glad to say that there is reason to believe that very considerable improvements have been made as to the sanitary conditions of American packing-houses since the occurrences referred to in the Question took place. As regards tuberculosis in fat cattle, the American law requires that meat for export shall be submitted to inspection and passed in accordance with prescribed regulations. In conformity with these regulations a carcase would be condemned if the lungs and liver were affected by tuberculosis, unless the examination showed that the lesions were limited to an extent indicated in the regulations.

MR. HUNT asked if in this country the liver and lungs were accepted as fit although showing signs of the disease while the carcases themselves were passed by the inspector.

MR. JOHN BURNS: No; neither would they be in any country.

Christmas Pressure in the Leeds Post Office.

MR. O'GRADY (Leeds, E.): I beg to ask the Postmaster-General whether he is aware that the extra men to be employed as letter-sorters at the Leeds Post Office during the pressure of Christmas work are required to accept a reduction of 2d. per hour, namely, to receive 6d. per hour as against 8d. per hour paid last year, and that these men are required to work at night without any extra pay; and whether, in view of the responsible character of the work to be performed, he will say why the same pay and conditions should not be paid these men as was the case last year.

THE POSTMASTER-GENERAL (Mr. SYDNEY BUXTON, Tower Hamlets, Poplar): The system of payment at Leeds has been brought into line with that prevailing elsewhere. In addition to the general rate of 6d. an hour, the men will receive the usual allowances for night duty, for work performed on Sunday and Christmas Day, and for any overtime. These concessions they have not previously enjoyed, and on the whole their total earnings under this year's arrangement will probably exceed those of previous years.

MR. O'GRADY: But are not the wages reduced?

MR. SYDNEY BUXTON: That may be so, but in the end the amount will probably exceed what it did last year.

MR. O'GRADY: Does it in any way diminish unemployment by allowing men to work night and day on the assumption that they will earn more wages at the reduced rate than at the ordinary rate?

MR. SYDNEY BUXTON: Their normal hours will be eight, some will be day work and some night work, and they will get extra payment for Christmas and New Year's days.

Civilian Rights in the Civil Service.

MR. SNOWDEN: I beg to ask the Postmaster-General whether there is any rule which prevents Post Office employees taking an active part in the business of political clubs or organisations of which they happen to be members, provided they are not active participants in elections.

I beg also to ask the Postmaster-General whether it is to be assumed from his recent prohibition of three Manchester postmen taking part in a political meeting at a time when no election was in progress, that it is intended to prohibit Post Office employees becoming members of political clubs or organisations.

MR. SYDNEY BUXTON: I assume that in these Questions the hon. Member refers to political clubs or organisations not consisting solely of Post Office servants. The rule applying to the Civil Service generally requires that Post Office servants as Civil servants should maintain a certain reserve in political matters. This rule precludes officials of the Post Office from taking a prominent part, or holding office, in such outside political clubs or organisations, but would not debar them from ordinary membership. As the Prime Minister has just stated, the whole question is to be considered by the Government.

MR. SNOWDEN: I beg to ask the Postmaster-General whether it may be taken that his recent statement that the disabilities which prevented Post Office employees from taking any part in county council elections have now been removed, means that Post Office employees may become candidates at such elections, provided the proper and efficient discharge of their duties as public servants is not imperilled.

MR. SYDNEY BUXTON: The Treasury rule applying to all Civil servants, which prohibits them from becoming candidates at county council elections, remains unaltered, but I lately abrogated a rule especially applying to Post Office servants and which prohibited them from taking any part in county council elections in the district in which their work lay.

Foreign Letter Regulation.

SIR WILLIAM BULL (Hammersmith): I beg to ask the Postmaster-General what is the provision (if any) in the International Postal Convention forbidding a correspondent to enclose within a sealed envelope sent abroad an unstamped letter directed to a third party.

MR. SYDNEY BUXTON: By statutory regulations it is forbidden to send by post any packet containing two or more packets addressed to different persons at different addresses. The Postal Union Convention contains no specific provision on this subject; but it provides expressly that the legislation of any country shall remain unaltered as regards anything which is not provided for by the stipulations contained in the Convention.

SIR WILLIAM BULL: How can it be discovered if it is a sealed packet?

MR. SYDNEY BUXTON: It may sometimes escape observation, but when there are any suspicions it may be discovered.

SIR WILLIAM BULL: How?

[No Answer was returned.]

Education Exhibit at the Franco-British Exhibition.

SIR PHILIP MAGNUS (London University): I beg to ask the President of the Board of Education whether, having regard to the fact that the education section of the Franco-British Exhibition must be dismantled in the course of the next few days, he will further consider whether the difficulties which have been raised by the Board to the acceptance of the offer that has been made to the Prime Minister to preserve the exhibit for public use can be removed; and if he will confer with the chairman and some other members of the committee of the section on the subject.

THE PARLIAMENTARY SECRETARY TO THE BOARD OF EDUCATION (Mr. TREVELYAN, Yorkshire, W.R., Elland): I have already informed the chairman of the committee of the education section that the Board would be glad to take over and house a careful selection from that portion of the exhibit which is illustrative of general education. This consists mainly of specimens of work, curricula and time-tables submitted from different types of schools, which could be compactly stored in a form accessible to students and might become the nucleus of a valuable collection, to be amplified from time to time, illustrative of the progress of general education in this country. The remaining portion of the exhibit, consisting of appliances and material illustrative of specialised education, is, as I have already stated, of great interest as a temporary exhibition, but of considerably less value as a permanent collection as it must inevitably become obsolete and cease to represent the best work in each particular sphere. But, apart from this objection, the Government have no space available for the storage of the bulky objects included in this portion of the exhibit, and I, therefore, regret that it is impossible for the Government to accept the generous offer of the committee. I shall be happy to arrange a conference with some of the officers of the Board as to the arrangements for taking over the material to which I have referred above, if the chairman and the committee are willing to fall in with these suggestions.

Small Holdings in Kent—Case of David Nicholls.

MR. GEORGE ROBERTS: I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether he is aware that David Nicholls, who has applied to the Kent County Council for a small holding, is about to be evicted from his cottage by the landlord, part of whose land was suggested as suitable for small holdings, and that Nicholls is now being subject to a local boycott, having been refused an adjacent vacant cottage on the ground of his resistance to the aforesaid eviction; whether he is aware that other persons in the locality are being restrained from making application for land under the Small Holdings and Allotments Act for fear of similar intimidation; and whether his Department contemplates any action to protect persons in such circumstances, and, if so, what.

THE TREASURER OF THE HOUSEHOLD (Sir EDWARD STRACHEY, Somersetshire, S.): The facts are as stated, and the President of the Board much regrets that he has no power to interfere. The President is, however, urging the county council to acquire the farm, for part of which Nicholls has applied, and has advised them to apply for a compulsory order if they cannot obtain it voluntarily.

MR. BELLOC: May I ask the hon. Gentleman whether he or any of his colleagues know of any way by which this attack on an existing law can be prevented?

MR. SPEAKER: That is too general a Question to ask without notice.

MR. GEORGE ROBERTS: Is the hon. Gentleman aware of the fact that not only has Nicholls been evicted from his cottage but also dismissed from his employment, and is he in a position to state to the House the name of the person who has thus discharged him?

SIR EDWARD STRACHEY: No, I am not; but I shall be very glad to inquire if the hon. Gentleman will put down a Question.

MR. CROOKS (Woolwich): Is any action whatever going to be taken to prevent these methods being used to coerce agricultural labourers?

SIR EDWARD STRACHEY: I have already replied that my noble friend has no power to interfere.

MR. BELLOC: Is he not going to do anything?

MR. CROOKS: What is the use of passing the Act?

MR. BELLOC: Exactly.

[No Answer was returned.]

*MR GEORGE ROBERTS: I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether he is aware that the Dairy Farm, Crockham Hill, which is suitable and available for small holdings under the Small Holdings and Allotments Act, 1907, has been applied for by members of the Limpsfield Land Club, included among whom is David Nicholls; that the county council representatives received information relating to this farm from the secretary of the club in the spring of this year; that the negotiations have been delayed because the county council representatives have asked the applicants to pay a rent of at least £2 5s. an acre, whereas the rent now paid is less than 10s. per acre, and that upon the men refusing to pay this increased rent they were offered as an alternative certain chalk land on Westerham Hill, between four and five miles distant, without housing accommodation or water supply, and unsuited for small holdings, at an annual rental of £1 15s. per acre; and whether he will lay upon the Table the memoranda and correspondence prepared by the Limpsfield Land Club, the correspondence between the men and the county council representatives, and the report of the Board's inspector thereon.

SIR EDWARD STRACHEY: The county council came to the conclusion that the Dairy Farm, Crockham Hill, could not be acquired voluntarily at such a price as would enable them to let it at rents which the applicants were willing to pay. They then offered them other land in the locality which they considered suitable, but this the applicants refused to entertain. The Board have made a careful inquiry into the matter and have informed the county council that the Dairy Farm appears suitable for small holdings and that the county council should consider whether it should not be acquired compulsorily. If this can be done at a reasonable price it will be possible to provide a holding for Mr. Nicholls. The Board do not think that any useful purpose would be served by the publication of the report of their inspector or of the correspondence in the matter.

MR. BELLOC: Is the hon. Gentleman aware that this land that was to be let at £1 15s. an acre has been offered at £10 an acre as freehold in the last few years?

SIR EDWARD STRACHEY: I am not aware of that, but I am aware that this land is only rented now at something over 15s. an acre, and the two ladies who own it are asking £60 an acre, which seems a most exorbitant price.

Mr. GEORGE ROBERTS: Is the hon. Gentleman aware of the many complaints that are made as to the slowness of the methods of investigating the various applications made under this Act; does he think that two inspectors are sufficient to deal with these applications; and, if not, will he consider the desirability of making further appointments?

Sir EDWARD STRACHEY: As I stated to the House the other day, another inspector has been appointed, and if it is considered necessary by my noble friend he will not scruple to appoint another.

Mr. CROOKS: Do you think there will be any of those who have applied alive by that time?

[No Answer was returned.]

Foreign Coal Contracts.

Mr. CARLILE: I beg to ask the Lord Advocate whether, in view of the injury to the coal trade of South Wales, Northumberland, and Scotland, should it be understood by foreign countries that false British colliery certificates are not held to be fraudulent, he will permit criminal proceedings to be taken in the case complained of by Messrs. Coats; and whether he will state in detail the grounds upon which he has hitherto refused to permit such proceedings to be taken in this case.

The LORD ADVOCATE (Mr. Thomas Shaw, Hawick Burghs): The first query is a repetition of a Question already put by the hon. Member and answered. With regard to the second query, I refer the hon. Member to a Question answered by me on 29th ultimo.

Mr. CARLILE: Is the right hon. Gentleman aware that the first part of the Question is not a repetition inasmuch as it deals with other areas? Will he put himself in communication with the President of the Board of Trade in view of the very serious disadvantages under which British trade is likely to be placed?

Mr. THOMAS SHAW: I see no occasion for any such procedure.

Mr. CARLILE: Will the right hon. Gentleman answer that part of the Question which deals with Northumberland and South Wales?

Mr. THOMAS SHAW: I shall be glad to hear any information confirming the suggestions made in the Question.

Afforestation in Ireland.

Mr. SHEEHAN (Cork County, Mid.): I beg to ask the Vice-President of the Department of Agriculture (Ireland) whether he has received a resolution, unanimously passed at the last meeting of the Cork County Council, adverting to the Report of the Departmental Committee on Irish Forestry, pointing out that the land in woods in Ireland is now the lowest of any country in Europe, and insisting that a comprehensive scheme of forestry can only be carried out under the direction of the State; and, seeing the urgent necessity of the national scheme of afforestation recommended by the Forestry Committee, will he state what steps are being taken to give effect to the recommendations of this Committee, and whether it is proposed to include provisions in the amending Land Bill penalising the cutting down of trees unnecessarily by purchasing tenants.

The VICE-PRESIDENT of the DEPARTMENT of AGRICULTURE for IRELAND (Mr. T. W. Russell, Tyrone, S.): The Department have received a copy of a resolution adopted by the Cork County Council referred to. I regret that I am not at present in a position to add anything to my Answer to a somewhat similar Question put by the hon. Member for East Clare on 20th October.

Mr. CULLINAN (Tipperary, S.): Cannot steps be taken to prevent landlords clearing away the timber, and thus destroying the beauty spots of Ireland?

CAPTAIN DONELAN (Cork, E.): Is it not the fact that when Irish landlords sell their estates under the Act they cut down the timber? Cannot steps be taken under the existing law to prevent that?

MR. T. W. RUSSELL: I am aware that both landlords and tenants are cutting down timber as fast as they can, and I very much regret it.

MR. SHEEHAN: Cannot some provision be inserted in the Land Bill to put a stop to this practice?

MR. T. W. RUSSELL: Perhaps the hon. Member will wait till the Bill is introduced.

Potato Disease in Ireland

MR. J. MACVEAGH asked as to the nature of the official report on the outbreak of black scab in Irish potatoes.

MR. T. W. RUSSELL: I am glad to say that up to this afternoon no further cases have been reported. The inspector is on the spot making all the investigations that can be made. So far as the general potato crop is concerned, I am glad to say it is estimated that it will prove the best crop for the past ten years.

MR. J. MACVEAGH: Is the right hon. Gentleman aware that the English Board of Agriculture has admitted that 244 outbreaks of black scab have occurred in Great Britain in recent years, and as this is the first outbreak in Ireland may it not reasonably be concluded that this disease was communicated from England to Ireland? Also——

*MR. SPEAKER: The hon. Member should put these Questions down on the Paper.

CAPTAIN DONELAN: Does the hon. Gentleman include County Cork in his estimate as to the potato crop?

MR. T. W. RUSSELL: The estimate is for the whole of Ireland. Perhaps it will relieve the mind of my hon. friends if I say that our investigation so far as it has gone shows there is no reason to suppose the disease arose from imported potatoes.

The Prime Minister and the Leeds Suffragists

MR. O'GRADY: I beg to ask the Prime Minister whether, whilst visiting Leeds, he declined to receive a deputation from the National Woman Suffrage Societies, representing many working women, who have always adopted constitutional methods in their reform movements, the bona fides of which deputation was guaranteed by the presence on the deputation of the hon. Members for Central and South Leeds and five leaders of local Liberalism; and whether he is now prepared to reconsider his refusal to see the deputation.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. ASQUITH, Fifeshire, E.): I was unable to see the deputation in question during my visit to Leeds, and I see no advantage at present in receiving any more deputations on this subject.

Licensing Bill.

MR. FELL: I beg to ask the Prime Minister if, before the Report stage of the Licensing Bill, he will arrange to have that Bill reprinted, with the new clauses and Amendments included, and distinguished by ink of one colour the clauses of the Bill which were discussed in Committee, and by ink of another colour the clauses which were passed under the guillotine Resolutions without discussion.

MR. ASQUITH: No, Sir.

Proposed Forth and Clyde Canal.

MR. BARRIE (Londonderry, N.): I beg to ask the Prime Minister whether, in view of the early starting of work on the Rosyth naval base, he will consider the advisability of obtaining a reliable estimate of the cost of acquiring, widening, and deepening the Forth and Clyde Canal, in order that the question of providing a direct and valuable waterway to the West Coast of Scotland may be considered.

MR. ASQUITH: My right hon. friend the First Lord of the Admiralty has stated that the question is not one that the Admiralty considers pressing from the point of view of naval requirements, and he will defer further consideration of the matter until the Report of the Canal Commission, which is understood to have been dealing with it.

Lord Ashtown's Election as a Representative Peer.

MR. WILLIAM REDMOND: I beg to ask the Prime Minister whether the Government propose to introduce legislation to render it illegal for anyone to obtain a seat in Parliament by the method of drawing lots.

MR. ASQUITH: I am not aware that the evils, if any, which arise from the present practice are so serious or so widespread as to render legislation necessary.

MR. WILLIAM REDMOND: May I ask whether, if it be a fact that this arrangement for casting lots for the election of peers exists under the Act of Union, that is not an additional reason for the repeal of that Act?

MR. J. MACVEAGH: May I ask the right hon. Gentlemen whether, in view of the recent gambling in another place, he can say whether that other place is a place within the meaning of the Act?

[No Answer was returned.]

Irish Land Bill.

MR. WILLIAM O'BRIEN (Cork): I beg to ask the Prime Minister whether on the occasion of the introduction of the promised Irish Land Bill, the House will be afforded an opportunity of discussing the proposals of the Government; and whether, in view of the advanced period of the session for which the introduction of a Bill of such magnitude is fixed, he will arrange that the Bill shall be introduced at an earlier date than 23rd November.

MR. ASQUITH: Yes, Sir. There will be an opportunity for discussion. I am afraid that it is impossible to introduce the Bill before the 23rd.

MR. WILLIAM O'BRIEN: Is it not a fact that only five Government days altogether have been devoted to legislation for Ireland during this year, and not a single hour during the present portion of the session? May I ask the right hon. Gentleman kindly to consider whether, if the introduction of this Bill is postponed until within twenty working days of the end of the session, any chance which the Bill has of passing into law will not be seriously prejudiced?

MR. ASQUITH: I hope not. I am sorry to say I cannot fix an earlier day than that which has been mentioned.

MR. WILLIAM O'BRIEN: Would it be possible to have the Bill introduced under the ten-minutes rule within the next day or two, so as not to lose time, and fix the Second Reading for 23rd November?

MR. ASQUITH: I do not think that would be a good arrangement. I think it would be better that my right hon. friend should have an opportunity of making a full statement on the introduction of the measure.

*MR. REES: May I ask whether the House will be sitting at a later date than 23rd November?

MR. ASQUITH: I am afraid that it is not improbable.

Old-Age Pension Regulations.

LORD R. CECIL (Marylebone, E.): I beg to ask the Prime Minister what facilities he proposes to afford for the discussion of the Regulations under the Old-Age Pensions Act.

MR. ASQUITH: I propose to afford facilities for the discussion of the Regulations on Monday next on the completion of the proceedings on the Licensing Bill.

Tied Houses.

MR. MACKARNESS: I beg to ask the Prime Minister whether, in view of the desire manifested in this House and throughout the country that steps should be taken to bring to an end the tied-house system, he will introduce into the Licensing Bill some provision under which the holders of all licences ultimately, and of new licences at once, will have secured to them complete freedom of contract in the purchase of their liquors.

Mr. ASQUITH: I am carefuly considering this matter.

Political Bodies in the Civil Service.

Mr. SNOWDEN: I beg to ask the First Lord of the Treasury whether he will introduce into the Civil Service Regulations a prohibition of the formation of political bodies within the Civil Service, and at the same time grant to Civil servants equal freedom with all other citizens to take their share in political activities outside of their hours and duties as public servants.

Mr. ASQUITH: As I said the other day, the whole matter is under consideration, and I am not at present in a position to make any statement in reply to the hon. Member's inquiries.

Passenger Vessels and the Licensing Bill.

Mr. BOTTOMLEY (Hackney, S.): I beg to ask the Prime Minister whether in view of the fact that no opportunity was afforded to discuss Clause 34 of the Licensing Bill, which imposes liability upon the masters and owners of passenger vessels, he will arrange to give the House facilities on the Report stage for the discussion of such clause.

Mr. ASQUITH: I do not think that any peculiar facilities can be given on the Report stage for the discussion of Clause 34 and the fifth Schedule as compared with other parts of the Bill, but I may point out that Amendments appear on the Paper in the name of my hon. friend the Under-Secretary of State, which are the result of a conference with representatives of the shipowners, and I have every reason to believe that, while they do not impair the effectiveness of the provisions in the Bill, they are satisfactory to those concerned.

Licensing Bill—Definition of a Meal.

Mr. BOTTOMLEY: I beg to ask the Prime Minister whether, in bringing up the new clause on the Report stage of the Licensing Bill providing for an extension of hours for London hotels and restaurants for the supply of alcoholic refreshment to persons taking meals, it is intended to furnish a definition of a meal.

Mr. ASQUITH: The hon. Member will see the form of the Amendment dealing with this matter in the Paper on Tuesday morning.

Refreshment Contracts for Government Offices.

Mr. LEVERTON HARRIS: I beg to ask the Prime Minister whether any Departments of the Government are under any agreement to obtain a supply of any intoxicating liquor from any particular person or firm; and, if so, which Departments.

Mr. ASQUITH: No, Sir, I have no information on the subject, and I do not see what public object would be served by obtaining it.

Mr. LEVERTON HARRIS: Does that Answer apply to the Admiralty?

Mr. ASQUITH: Questions affecting the Admiralty should be addressed to my right hon. friend.

Irish Land Purchase Block.

Mr. LONSDALE (Armagh, Mid.): I beg to ask the Prime Minister whether he is aware that upwards of 100,000 Irish tenant-farmers, who have voluntarily agreed with their landlords for the purchase of their holdings under the Irish Land Act, 1903, are being subjected to loss by reason of the delay in advancing the amount, estimated at between £40,000,000 and £50,000,000 sterling, necessary to enable purchase arrangements to be completed; and whether, having regard to the fact that all parties are agreed as to the urgent need of solving the financial difficulty, while the question of the relief of congestion is highly controversial, he will submit the proposals of the Government in reference to these matters in the form of two separate Bills, in order that the land-purchase difficulty may be surmounted as speedily as possible.

Mr. ASQUITH: As I have already announced, the proposals of the Government for dealing with Irish Land Purchase Finance and the relief of congestion will be embodied in one comprehensive measure. I regret that it would not be possible to discuss, within the limits of an oral answer, the reasons which render that course necessary and desirable. I must ask the hon. Member to await the statement which my right hon. friend will make when introducing the Bill.

BUSINESS OF THE HOUSE.

MR. AKERS-DOUGLAS (Kent, St. Augustine's) asked if the Government could not give a more convenient time for discussing the Resolution allocating the period for the Report stage of the Licensing Bill ?

MR. ASQUITH said he would put down the Motion for the allocation of time for the Report stage of the Licensing Bill at the beginning of business on Wednesday. He proposed, if necessary, to ask the House to suspend the Eleven o'clock Rule for the consideration of the Port of London Bill. He proposed also to move the suspension of the Eleven o'clock Rule to-morrow for the discussion of the Education (Scotland) Bill.

LICENSING BILL.

Considered in Committee.

(In the Committee.)

[Mr. EMMOTT (Oldham) in the Chair.]

Schedule I.

MR. G. D. FABER (York) said that in the absence of his hon. friend the Member for Rutland he begged to move as an Amendment the new scale standing in his name. The first Schedule of the Government took the number of persons per acre, or the density of population, and according to the density of population so was the number of licences per hundred people. Instead of beginning with one to 400 persons and ending with one to 1,000 persons, his hon. friend's amended Schedule began with one to 300 persons and ended with one to 900. Therefore, although it did not remove the objections they took to the whole method by which the Government proposed to proceed, still, so far as it went, that grievance was diminished by the Amendment. The Government might have taken serious objections to the Amendment if they had proceeded upon an accurate arithmetical computation of the number of licences to be reduced according to their scale throughout the length and breadth of the country, but the Government had been obliged to admit that they had done nothing of the kind. The Prime Minister, when he introduced the Bill, in speaking of the number of licences to be reduced, some 30,000 in number, said the calculation was a rough one, and the right hon. Gentleman the Home Secretary, in answer to a Question a few minutes ago, had said the same thing. The Government had made no accurate computation at all, and in answer to a Question from that side of the House as long ago as last February or March the Government said they had only taken a number of sample cases. It seemed really to be a shot in the dark, a jump into space. One would have imagined that in a scheme of this kind the country would have been made aware how many licences would be reduced. The Government, on the other hand, seemed to have contented themselves with giving what they themselves called a number of sample cases. The Government also said that they founded themselves on the Minority Report. The Minority Report recommended that there should be one on-licence to every 700 persons in the towns and one to every 400 in the country. The Government had followed that plan up to a certain point, but they had graduated the licences according to population much more closely than the Minority Report recommended. There was also this remarkable difference between the scheme of the Minority Report and that of the Government. The Minority Report said one on-licence to 400 persons in the country, but the Government had gone a long way beyond that general proposition, because they did not proceed in their reduction of licences merely upon the general population of the towns, but according to the population in the area, and that he would show had a very far-reaching effect. He would take, for instance, the city of Leeds. The Minority Report would have taken the whole city of Leeds, and would then have calculated the number of licences that Leeds ought to have according to population; but the present scheme divided Leeds up into areas, with a most extraordinary result, a result which he ventured to think the Government themselves never either imagined or anticipated. Taking the Government's Schedule, on the density of population in Leeds, the city would be entitled to 764 licences, but when they cut Leeds up into areas and took the density of population according to those areas, then Leeds actually only got 549 licences, so that there was a deficiency of 215 licences. He was illustrating this most important point to show that the Government evidently could not have gone closely into the matter, and therefore it would be absurd for them to say that they were wedded to this particular Schedule. His hon. friend the Member for Ayr Burghs, on 8th March, asked for a Return to be laid showing the number of on-licences to the population and acreage of the areas as defined in Clause 1, i.e., rural parishes, wards, and urban districts, and that Return was refused by the Government, who said it was impossible to obtain and tabulate the information without very great labour extending over a period which would prevent the issue of the Return in time to be of any value for the purpose of the discussion on the Bill. He thought, therefore, he was justified in saying that a mere rough approximation had been made and that the Bill could stand equally well if any other Schedule were adopted. One criticism which occurred to his mind was that the last census was to be taken. It was in 1901, or seven years ago, and in the ordinary course of human affairs it was certain there had been large fluctuations of population.

*THE CHAIRMAN said that now was not the time to discuss that point. It would arise on a later point.

MR. G. D. FABER said that generally it was a fallacious way of arriving at sobriety by going upon reduction of licences according to population. He thought drunkenness depended much more upon such things as climatic influence than density of population. He took for instance two areas, (*a*) and (*b*); both with the same population, but one with a sunny, dry climate and the other a damp, heavy climate. Surely in such a case the much more important factor was the influence of the climate on the habits of the people than mere population. Again, the occupation of the people in a particular area would have been a far better determining factor than density of population. He could well imagine the population in an area with interests and occupations calling their intelligence into play having a much smaller amount of drunkenness than an area where there was a dull, dead level of uninteresting occupation. He was not there speaking as a party politician. His desire was to arrive at the best possible plan. He considered that the Act of 1904 was far in advance of the plan adopted in this Bill. That Act gave every facility, every play to the licensing justices in Quarter Sessions. It did not try to constrain them by saying: "You shall only have so many licences according to population."

THE CHAIRMAN said the hon. Member was going beyond the Schedule at present under discussion.

MR. G. D. FABER said he quite understood, but he made those observations tentatively. He insisted that the Act of 1904, by giving elasticity and suppressing only redundant licences, went far more upon the true lines than the Government Bill. His hon. friend the Member for Rutland who would have moved the Amendment intended it no doubt largely in order to afford an opportunity of stating their objections to the Government Schedule. It was only in order to bring themselves within the ruling of the Chair that the Amendment had been put down in the form in which it appeared upon the Paper.

Amendment proposed—

"Schedule 1, page 24, leave out lines 5 to 12, inclusive, and insert,"—

Persons per acre.	Number of on-licences.		
2 or less	1 to 300 persons or part of 300.		
Exceeding 2 but not exceeding 25 . .	1 to 400	,,	400
,, 25 ,, 50 . .	1 to 500	,,	500.
,, 50 ,, 75 . .	1 to 600	,,	600.
,, 75 ,, 100 . .	1 to 700	,,	700.
,, 100 ,, 200 . .	1 to 800	,,	800.
,, 200	1 to 900	,,	900.

—(*Mr. G. D. Faber.*)

Question proposed—"That the first 400 stand part of the Schedule."

*THE UNDER-SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. HERBERT SAMUEL Yorkshire, Cleveland) said that the question which the hon. Member had raised was a very narrow one. Clause 1 had decided that licences should be reduced throughout the country according to a certain scheme, and the only issue raised by this Amendment was whether or not the scale proposed by the Government was a satisfactory one, and if not what better scale could be proposed. On one previous occasion, now many years ago, a Government had introduced a Bill to reduce the number of public-houses according to population. That was Mr. Bruce's Bill of 1871. When the Government were preparing the present Bill they consulted the scale of that day, but found that it was far too drastic. Mr. Bruce's scale proposed that in towns under 1,500 population there should be one public-house, in towns between 1,500 and 3,000 only two public-houses, and above that there should be one additional public-house for every 1,000 inhabitants. In the rural districts Mr. Bruce's scale proposed that a village with a smaller population than 900 should have only one public-house, between 900 and 1,200 inhabitants, two public-houses, and between 1,200 and 1,800, three public-houses. The larger villages were to have one additional public-house for every 600 additional inhabitants. That was an exceedingly sweeping scale. The Government proposed to found themselves on the recommendation of the minority Report of the Peel Commission, which recommended that the proportion should be one public-house for every 400 inhabitants in the country, and one to every 750 inhabitants in the towns. After investigation of all the elements of the case, they came to the conclusion that from a common-sense, reasonable view of the present circumstances of the country and its needs; that scale was based upon figures that were acceptable. But they felt, and he was sure the Committee would agree, that it was impossible to draw a hard-and-fast line between towns and the country. If they took areas which were under municipal urban institutions—that was to say, areas included in county boroughs, non-county boroughs, and urban districts, they would have a certain definition which might be applied to the term "town"; but it was not a satisfactory definition, for there were many places which were not urban districts which had urban characteristics, and many places which were technically urban but which had rural characteristics. Besides, if they took a definition they would be drawing a hard-and-fast line between areas with one public-house to every 400 inhabitants and areas with one public-house for every 750 inhabitants, and if any borough or urban district desired to extend its municipal boundaries the effect would be that the area brought in would lose nearly half of its licences. Consequently, it was very inadvisable to attempt to draw a rigid line between what was to be considered town and what was to be considered country. They had, therefore, to take a graduated scale of density of population. The scale in the Schedule provided that in any parish where the population was less than two per acre, the number of public-houses might be one for every 400 persons. That part of the scale covered all the rural districts. There were hardly any rural parishes which had a density of more than two per acre. Most of them had very much less. On the other hand, there were exceedingly few wards in towns which had a density of less than two per acre. He thought it might be laid down as a general principle, that if they drew a line of two per acre, they did roughly include the rural districts as being those parishes with less than that density; and if they went above that density they gradually approached more and more to urban conditions. Therefore, the scale provided one public-house in the country for every 400 persons. In the urban areas the scale varied from one to 500 up to one per 1,000—or a middle term of one for 750 according to the scale of the Peel Commission. That was the basis on which the scale had been calculated, and the Government saw no reason in the speech of the hon. Member for York for changing this statutory scale. The Amendment would permit an enlarged number of public-houses all through those different areas. It would increase by one-third the number of public-houses the Government plan would allow in the rural districts and increase in a gradually descending ratio the number which they allowed until in the great towns it was increased by one-tenth. The Government did not see any reason for changing their scale. No argument had been advanced for any alteration of the figures based on the proposals of the Peel Report.

MR. AKERS-DOUGLAS (Kent, St. Augustine's) said he might be permitted on behalf for those who sat around him to offer congratulations to the Under-Secretary on the very worthy and well-earned distinction which had been conferred upon him. He was quite sure those who had been connected with the progress of that Bill and other measures had seen enough to know that the honour was fully justified. As to the Amendment the right hon. Gentleman had contended that the Government scale was the best that had been laid down. But what the Opposition wanted to know was upon what basis was that scale calculated? Had any accurate survey been made? The right hon. Gentleman had reminded them of the scale introduced many years ago by Mr. Bruce, afterwards Lord Aberdare. He did not know that the right hon. Gentleman's allusion to that abortive Bill was at all a happy one with regard to the prospects of the present Bill, because the Government which introduced that Bill did not live very long after its production. He wished to emphasise a fresh point which had been raised by his hon. friend, viz., whether an accurate survey had been made to enable the Government to arrive at the figures in these schedules. The right hon. Gentleman said these figures were based partly upon the Minority Report of Lord Peel's Commission, but if he remembered aright no figures were given or suggestion made by the Minority Report. He understood that the members of the Commission thought that great elasticity should be allowed, and they did not make any representation on this point. At all events, they had no intention that the Government should recommend a hard-and-fast line drawn by Parliament, which should apply to all the districts of the country. The present Bill proposed that in the country they should have one house to 400 inhabitants, and in the towns one to 750. Those figures must have been arrived at by a very rough calculation, especially as regards the country districts. He left other hon. Gentlemen who had greater experience to speak for the town districts, but for himself, he thought that a calculation made like this might bear very hardly indeed on some country districts. The needs of those districts ought to be much more largely considered, according to the locality and according to the position in the county in which they were situated. It was quite possible that what might be necessary for a county like Durham or Northumberland, where the people were largely dependent upon mining, did not at all apply to, say, a county like Oxfordshire or Wiltshire. He thought, therefore, that greater elasticity ought to be given to those who were to carry out the Bill than the drastic regulations in the schedules. For these reasons they, on that side, were more inclined to support the more generous proposal which had been made by his hon. friend behind him than they were to say ditto to the Government scheme.

*MR. MONTAGU (Cambridgeshire, Chesterton) pointed out that the right hon. Gentleman said he desired more elasticity, but it was evident that the Amendment simply substituted one form of rigidity for another. It was perfectly true that a scale applicable to Oxfordshire or Wiltshire might not be applicable to other parts of the country, and it was precisely for that reason that elasticity had been provided by the Government measure in the modifications within the powers of the justices, which were set out at the bottom of the Schedule.

MR. SAMUEL ROBERTS (Sheffield, Ecclesall) was sure that hon. Gentlemen on the back Benches on the Opposition side of the House would wish to join in congratulating the right hon. Gentleman the Under-Secretary on the honour which had been conferred upon him. He wished to be allowed in a few words to support the Amendment. The right hon. Gentleman had just told the Committee that it would only increase the number of public-houses by one-tenth in towns and one-third in rural districts, and, therefore, it was not a very great thing that they asked for. The Government had based their calculations on the Peel Minority Report, which it was said gave one public-house to every 750 inhabitants in the towns and one to every 400 in the country, but he wished to remind the right hon. Gentleman that when that Report was made that Commission had not before them these small areas. That made all the difference. They were recommending that legislation should take place of which the whole town should be taken as the area, or the county or a large part of it as the area; they did not deal with the rural district. His hon. friend had pointed out the effect as regards Leeds, and might he draw attention to another case which, he thought, was more striking, viz., that of West Hartlepool. West Hartlepool had already eighty-five licensed premises, and the maximum in the Bill was much larger, 108. But if they separated West Hartlepool into wards, it would be found that for the purposes of this Bill they would have to take forty-four away or over 50 per cent. off the already small number. In his opinion, that showed that the argument of the Government that they relied upon the Peel Minority Report was not a sound one, for the reason that the Report was based on large areas and this Bill was based on small areas. He hoped for these reasons the Government would see their way to grant this small concession.

MR. BERTRAM (Hertfordshire, Hitchin) said he desired to support the Amendment, though he would have preferred that it should have been in some different form. His objection to the Government figures was that the maximum number of houses allowed by the schedule was of a nature which must hit certain areas more hardly and severely than any other portions of the country. These were the sparsely populated areas, and his opinion was that the first Amendment to substitute 300 for 400 was certainly one that he could support. They had had an answer of some kind from the Under-Secretary for the Home Department, but he did not think the right hon. Gentleman had dealt with the great difficulty which some of them who represented areas where the population was extremely small had in supporting the schedule. The right hon. Gentleman had said that the alteration of this maximum from 400 to 300 would in the rural areas really mean an increase of one-third in the number of public-houses which would survive at the end of the twenty-one years period. That, he believed, was approximately correct, but what he wished to point out to the right hon. Gentleman and the Government—though it would probably make no difference in their attitude—was that there were many areas where the population was so small that the words "two or less" to the acre were perfectly ridiculous. There was in his constituency one Petty Sessional Division of 15,600 acres with a population of 3,100 persons. This area came under the division of the schedule which related to one house to 400 persons, and to show the absurdity of the schedule as it applied to this area, in order to get into the third division, one in 600, the population of 3,100 would have to grow to 390,000, which showed that though the proposal of the mover of the Amendment was as rigid as the Government scheme, the Government plan was as bad as it could possibly be. They had been repeatedly told that approximately the number of licences in the country which would be reduced by the Bill, would be 33 per cent., but he would point out that under this schedule Hertfordshire, a portion of which he had the honour to represent, would be hit to something like 50 per cent. A closing of one-third of the public-houses in Hertfordshire would amount to a reduction of 500, but a reduction such as would take place under this schedule would mean a closing of 900 houses. To his mind, it was extremely unreasonable that they should apply a maximum scale of 1 in 400 population to areas where the districts were so small as they were in Hertfordshire, with which he was well acquainted. He would give one additional set of figures. There was a Petty Sessional Division which had at present a population of 7,800, and possessed eighty-three licensed houses and ten "off" licences, in an area of 25,000 acres. The number of public-houses as allowed by the schedule of 1 to 400 persons would be twenty, and under the Amendment suggested by the hon. Gentleman, if they had 1 to 300, the number would be twenty-six. That agreed substantially with the estimate of the right hon. Gentleman the Under-Secretary for the Home Department when he said that this Amendment would increase the number of houses by approximately one-third. He happened to know the particular area, and no one could suggest that an area of 25,000 acres was adequately served by twenty houses. It was an area intersected by a very large number of roads. Nearly all of the houses were isolated, and it was very unreasonable that the number should be reduced to twenty. He would also mention the cases of several parishes where the area was large and the population was small—parishes that every county Member must know of. A score of these parishes at present had, perhaps, three public houses to a population of 300 or 400 people, and that number was by no means in excess of the needs of the district. No one could for a moment pretend that three public houses to a population of 300 or 400 people could have, as between themselves, anything in the nature of what was called monopoly value. The mischief of this schedule, and he thought, the mischief of this Bill, if he might be permitted to say so, was that in many cases where there was at this moment free and open competition between the brewers who owned the houses and the tenants who occupied them, they would find by this Bill a monopoly value brought into existence, by the abolition of competition and they would produce by their own Bill a state of things to remove which was their excuse for bringing in the measure. He desired to point out to the Government that there was no sufficient elasticity in their schedule to meet the requirements of any sparsely populated area in the kingdom, and he hoped they might, on Report, have some alteration or Amendment of the schedule by the Government themselves, if they could not accept this Amendment. The maximum was too low for any sparsely populated area, and he thought the figures which he had quoted showed the immense gap which existed between the 300 and 400 limit and the 600 limit. In this one Petty Sessional Division it would be necessary to increase the population from 3,000 to 390,000, in order to bring it from the first to the third category, and this condition of things would apply to a great part of rural England.

Mr. JESSE COLLINGS (Birmingham, Bordesley) said the hon. Gentleman opposite, although he had twitted his hon. friend with having advanced no argument against the scale, had himself given no explanation in favour of it. The hon. Member for the Hitchin division of Hertfordshire had, however, brought forward facts of a concrete kind which ought to convince anyone with an open mind. He quite agreed that this Amendment made very little difference. It diminished the grievance, and that was all that could be said about it. But he had great doubts about voting for it, because to give a vote was to assume an improvement, and the condition under this Amendment would be only slightly less onerous than that contained in the Government Schedule. He could quite understand the right hon. Member for the Spen Valley and the hon. Member for the Appleby Division welcoming this Schedule. They were for prohibition, and this was the nearest approach to prohibition that could be attained. In many cases it would be absolute prohibition. He had been at the trouble of working out the statute acres into square miles, and if this question was looked at in square miles hon. Members would be stunned at the disabilities and hardships that were being put on the agricultural labourers, who were, as a class, sober men. At the present time there were public-houses and inns dotted about the parishes to which they might go. However sparsely-populated the place, there was an inn, a small public-house to which they might go and have their glass of beer and enjoy themselves. Those were to be taken away from them. In all cases they were to be restricted, and in some cases taken away. Why was this extraordinary proposal to be forced upon the rural population? In his own neighbourhood there was a parish containing 50,000 acres and a population of 1,844 souls. There was in that parish one person to twenty-seven acres. Yet under this Schedule those 1,844 people would have but five public-houses. Five public-houses scattered over seventy-eight square miles of territory. The population scattered over this vast area had now facilities for having their glass of beer, but those facilities were to be reduced to five public-houses. How could the right hon. Gentleman justify such a proposal? What had these people done that the Government should take away from them one of the few enjoyments they had? Everyone knew that they could go through the country and pass mile after mile of land and never see a house. If they took the rural districts of England and Wales and turned the statute acres into square miles they would find that in forty-two of the counties there were only 200 people to the square mile. Instead of there being two persons to the acre in some districts there were only 100 to the square mile. In five districts there were only fifty to the square mile. Why should the men in these districts be made to walk two, three, and sometimes more miles in order to get a glass of beer? What about the winter and bad weather? He hoped that as now they would be always able to go at once to a comfortable place and spend an hour after their hard day's work. In this case the condition was so hard that it was prohibitive. What was the object of a wealthy House of Commons taking this step towards this class, which ought to be the object of its special care instead of being worried to death in this way? He was quite sure that hon. Gentlemen opposite who represented rural districts did not want to harass and torment their constituents. They, like the Government, did not know what they were doing. What necessity was there for treating sober men in this way? In forty-two counties instead of there being two people to one acre there were six-and-a-half acres to two people; in seventy-three counties there were thirteen acres to two people, and in three counties there were twenty-six acres to two people. The fact was that the Government had never worked this out. They had simply taken the recommendations of the Minority Report of the Peel Commission. The people who kept these small public-houses which were dotted about the country were most worthy people. The hon. Gentleman laughed. Why? He had read that at the beginning of the last century when the people entered the dimly-lighted theatre they saw written up: "People are requested not to laugh, for this is a tragedy." They were rather enacting a tragedy now, and an hon. Member was laughing at it. These worthy people had embarked their little all in these small public-houses, which were studded about these sparsely populated parishes. Had there been any accurate survey by the Government before they produced this Bill? Of course, there had not; no supporter of the Bill would say there had.

His hon. friend behind him had put down an Amendment which would have met the case, namely, that the apportionment should be left to the justices who knew the local requirements; but the Government had expected that and had fallen back on this hard and fast line. He felt very indignant about this senseless imposition, this direct persecution, for it was nothing else, which was to be inflicted on a class of people who ought to be an object of the Government's care and consideration instead of their animosity. He wanted hon. Members opposite who represented counties to justify and give reasons for this proposal; he wanted someone on the Government Bench to deny that these labourers would not have in many cases to walk long distances, and frequently in bad weather, if they wanted refreshment after their day's labour. If they admitted that to be true, then he wished them to give some reason for their action.

*Mr. LEIF JONES (Westmoreland, Appleby) said it was not the first time the right hon. Gentleman had drawn a dreary picture of the desolation that would be seen in the country districts owing to the reduction of licences. The right hon. Gentleman had remarked that an hon. Member laughed at a "tragedy." There was a tragedy, but not of the kind the right hon. Gentleman thought. He had deservedly gained a great name for himself for the ideals he had held out in old days before the agricultural community, but now he had put before them that the agricultural labourer by this Bill would be deprived of his sole enjoyment, the public-house. Over and over again the right hon. Gentleman had put that picture before the House.

Mr. JESSE COLLINGS: I said that the enjoyment of the public-house was a legitimate enjoyment for the working classes, and ought not to be taken away from them.

*Mr. LEIF JONES: I wish the right hon. Gentleman would always confine himself to that sobriety of statement. It is in my recollection that he said "the only enjoyment."

Mr. JESSE COLLINGS: One of their few enjoyments.

*Mr. LEIF JONES continuing, said the right hon. Gentleman had been good enough to remark that he would welcome the schedule of the Bill as a prohibitionist, but he would certainly not give his vote for the schedule as a prohibitionist, for there was nothing in the schedule which would produce prohibition. The schedule was so contrived that the enjoyment of a public-house would be within easy reach—despite of what the right hon. Gentleman had said—of practically every labourer in the country. If, therefore, he welcomed the schedule, it was not in the least as a prohibitionist. He welcomed it as one of the county Members to whom the right hon. Gentleman had appealed. The great majority of county Members were supporting this Bill, and whatever contempt the right hon. Gentleman might feel for such county Members, at any rate, they were entitled to speak for their constituents so long as they represented them. He could assure the right hon. Member for the Bordesley Division that in the view of this Bill which he had put before the House, he had the strong support of his constituents, a support not by any means confined to the Party which supported him at the time of the election. He could show the right hon. Gentleman communications, if he cared to look at them, from Conservatives in his constituency, thanking him for his work on the Bill and thanking the Government for having introduced it. They were told that the schedule was unsatisfactory on account of its rigidity, but he considered that the criticism was ill-founded, and that the Government, if they were to carry out a reduction at all, could scarcely do so with less rigidity. Not only did the schedule provide carefully for gradation of population, which in itself was a qualification of the rigidity of any scale, but there were modifications which provided that it should not be applied at all if there were only two houses in a parish. In paragraph 2 it might be noticed that another modification was allowed—

> "If in the circumstances of the case it is expedient, owing to the isolated position of any licensed premises, etc."

So far from being rigid therefore, the scale was framed with as much elasticity as was possible in carrying out a scheme of universal reduction. That had been recognised on the other side, for the Amendment proposed another rigid scale of exactly the same character as that in the Bill, with the exception that the figures were slightly different. [AN HON. MEMBER: You cannot help it.] Precisely, they could not help it where they had universal reduction all over the country. He did not see how they could consistently have more elasticity than the Government had introduced. The schedule gave a good deal more elasticity than the Peel Minority Report recommended. That Report recommended one to 400 in country districts, and one to 750 in towns. Hon. Members said that one to 400 was an insufficient provision. But supposing they were starting *de novo*, think what it meant. Taking 400, it would mean that each public-house would supply eighty families. The right hon. Gentleman had drawn a dismal picture of 1,800 people scattered over a number of square miles.

MR. JESSE COLLINGS: Seventy-six square miles.

MR. LEIF JONES said this meant that there was one public-house for every 360 people—men, women and children. The temperance principles he advocated had, to some extent, prevailed in the parishes of the country, so that a considerable number of each 360 people did not want a public-house at all. Three-fifths of the 360 were children, so that they had 140 adults, men and women for each of their five licensed houses. The hon. Member for Sheffield had remarked that the scale of reduction laid down in the Peel Minority Report did not contemplate the small areas which the Bill now included. He did not know why the hon. Member said that. The Commissioners had made their recommendation and did not give a reason. But if they turned to the other part of the Report they would find a great deal to show that they had in their minds small areas. They gave some evidence, which had been forgotten in the course of this debate, as to why they made this recommendation. The Commissioners in their Report referred to Sheffield, which they said compared unfavourably with other large towns in Yorkshire, the proportion in that city being one licensed house to every forty families. They pointed out that there would have to be a very large reduction to bring the level down to that of Leeds and other Yorkshire towns.

MR. YOUNGER (Ayr Burghs): Is that an extract from the evidence of a witness.

MR. LEIF JONES said it was an extract from the Report, p. 91. It referred to one of the witnesses, but it was a statement by the Commissioners. The Commissioners also dealt with the case of Birmingham, where they were enormously in excess of any possible requirements of the population. He was quoting this to show that the Commissioners had in mind the excess in particular areas in towns. They quoted one case of seventy-five licences in one parish, and they took the case of Hull. They said—

> "In some towns there is great congestion, as in the old parts of Hull, where, according to the clerk to the borough justices, at least one-half are not required. These, though unprofitable, are maintained in the hope of compensation or of surrender for new licences elsewhere."

They certainly had in mind the small areas which the Government had taken rather than the large areas to which the hon. Member for Sheffield thought they referred. The very schedule taken by the Government was more or less suggested by the Peel Commissioners, although they did not actually recommend it. The Commissioners who signed the Minority Report based their recommendation on abundant evidence before them, and the Government had followed the Minority Report in their scheme, and though it would be very easy to show that the reduction was very insufficient in a great many cases, yet considering that they were making a universal reduction, hon. Members opposite, he thought, might join in congratulating the Government on, within the limit of their reduction, having given so much elasticity to their rule. He supported the Government schedule because it was the best he could get, but if he were to put down Amendments to it, it would be to make very many fewer houses, because, after all was said and done, there would be far too many houses left, especially in the town areas, for the possible requirements of the population.

Mr. YOUNGER said he was not in any way concerned to take notice of the last few words of his hon. friend opposite on the subject of reductions, because they all knew exactly what his views were. But he wished to say something about his remarks as to the Report of the minority of the Royal Commission. He remembered the map of Birmingham which was before the Commission. It was more like a scarlet-fever patient than anything else. It was dotted all over with red, blue, and yellow spots, denoting the different classes of licensed houses to which each of the spots referred, and he could recollect that some of the areas in Birmingham were very congested, just as they were in some other cities. But it was also borne in upon the Commission that while very serious congestion existed in those areas it was to some extent created by a desire to keep them together to facilitate police supervision. Captain Nott-Bower gave evidence that in the case of Liverpool it was thought desirable to have the houses in a particular district and if possible in a particular street. The reason for the percentage of population recommended for the towns arose from the fact that the licences were congested in small areas, and that, if the small areas had been taken before the recommendation which was ultimately made, far too few public-houses would have been left. The hon. Member had tried to argue that if they had these areas in their mind they would have specifically said so. They did it, and the reason was that they believed that a certain number of licences were wanted in each of these places; they therefore took a town and a rural area standing by itself, and left the local justices to distribute the licences as they thought best for the convenience of the inhabitants.

Mr. LEIF JONES: I can find nothing in the Report embodying that view.

Mr. YOUNGER said he was not saying so. He was discussing the evidence and the considerations present in the minds of the Commission when dealing with the Report. The hon. Member had tried to argue from the fact that the Commissioners produced certain extracts from the evidence of witnesses and maps dealing with areas that, therefore, similar areas as defined in the Bill were in their minds and not, as he believed, the proportion of licences to population in a particular town.

Mr. LEIF JONES: But they say so themselves on page 92 of the Minority Report—

> "The ratio of licences to population may be low for the whole district, while some parts of it are very much over-licensed, so that the facts are even worse than the figures, though these are bad enough."

That definitely shows they had the small areas in their mind.

Mr. YOUNGER said it was for that very reason that they took a general average. They knew it would reduce the licences by far too many if they did anything else than what they did in the Report. There was one ward in Birmingham where there were 158 licences. Under this Schedule they would have to be reduced by 141, leaving only 17.

*Mr. HERBERT SAMUEL: Subject to the modifications.

Mr. YOUNGER said they could not be isolated. There was no exception as far as he could see in a case of that kind.

Mr. HERBERT SAMUEL: Sub-section (3).

Mr. YOUNGER said subsection (3) only referred to such cases as the City of London, where there was a very large day population and no large night population.

Mr. HERBERT SAMUEL: The central ward of any town to which people flock in the course of the day, and in which licensed houses are required not merely for the wants of the night population.

Mr. YOUNGER said he understood that, but some of these areas did not possess that qualification at all. Many areas which were densely populated could not be said to have a different population at night. That was not provided for in the Schedule. That was its weakness. An area in which there were 1,000 people in the East End of London was much more likely to use public-houses than a similar area in the West End, but that was not provided for in the Bill unless there was a shifting population which did not remain there at night. He supported the Amendment, not because he agreed with it, but because it was a little better than the Schedule. Any scale of this kind was thoroughly bad and would not work satisfactorily, but they had no assistance from the Government in finding out how bad it would be in many places, because they had not taken the trouble to find out, and although they said 33 per cent. of the licences would be taken away, they could not tell whether it would be 33 per cent., 43 per cent., or 53 per cent. He dared say it would be 60 per cent. in some cases. In the ward in Birmingham which he had mentioned it would be nearly 100 per cent. He did not think the recommendation of the Minority Report was based upon any special evidence. It was a perfectly arbitrary proposal to say there should be one public-house to 400 in rural districts, and one to 750 in towns. Perhaps the rt. hon. Member for Spen Valley could say where it was initiated. Probably the most extreme witnesses were taken and those who were not so extreme, and an average was struck. He agreed that the maximum in this case was too low. He thought the hon. Member opposite had been a little too hard on the right hon. Gentleman the Member for Bordesley, who had carefully safeguarded himself in what he said about the extreme inconvenience and hardship involved in country people being deprived of facilities for perfectly innocent and harmless enjoyment. This was only one other instance of the manner in which the Bill had been prepared. It had never been properly thought out. It was a thing of shreds and patches, and this was a very bad and ugly patch. He agreed that in many districts licences wanted to be reduced. The 1904 Act provided for that in a proper way, and left the local justices to say what was necessary in that respect, and he could wish the Bill had done the same thing. He was certain that this Schedule would in many cases create great hardships, and just because the Amendment to some extent minimised that hardship he should support it, though he did not think it was in the least degree satisfactory as it stood.

Mr. BARNARD (Kidderminster) said the 1898 Royal Commission had been quoted. From that time Birmingham had itself done a great deal to bring about the alteration. More than once during the last two or three months he had put questions to the Home Secretary, and he had been unable to state whether the idea conveyed by the Prime Minister that licences would be reduced from 90,000 to 65,000 was correct or not. He had been led to the conclusion that that broad calculation was probably very much off the mark. He believed that in certain districts the reduction would be far in excess of the figure suggested by the Prime Minister, and in a great many other districts it would be found that no reduction was required. When the Government laid before Parliament a great Bill affecting huge commercial interests, they ought to be able to show what changes it would bring about. It was patent to everyone that in many increasing districts like those in the East End of London the licences were far in excess of what this Schedule allowed. The Government scheme would take away more licences than the totals put before the House by the supporters of the Bill. Unfortunately, they had had very little chance of discussing the Bill, and whenever he had ventured to speak to the Under-Secretary of State, the right hon. Gentleman had never troubled to reply to him, probably because he had had enough to do replying to those of his own calibre on the front Opposition bench. He had in his possession the figures for the principal towns in his own county where the reduction under this Schedule would be 68 per cent. In Cambridgeshire the reduction would be 69 per cent.; and, taking the twelve largest villages in the district with which he was connected, the reduction would be 71 per cent. It was no good wasting time thinking the Government would go away from the general principles of their measure, and, although he disliked this Schedule, he was not going to discuss it at length. The right hon. Gentleman had just drawn attention to these modifications, but they were all subject to the approval of the Commissioners. Under those circumstances they had a right to ask the Government why some instructions should not be given to the Commissioners. When the justices sent any modifications along, and arrived at certain conclusions, they would all be subject to the arbitrary control of three Commissioners sitting in London. If the justices were to be subjected, in regard to some of their arrangements, to the order of the Secretary of State, surely the Commissioners should be treated in the same way. He would like to hear a definite statement as to what the Commissioners were to do. It would be a great relief to know exactly what they were doing, and, although one was always prepared to take a good deal on trust there ought to be something intelligible as to what was meant by these modifications. He thought the Government ought to give them a lead in this matter.

MR. WALTER LONG (Dublin, S.) said the hon. Member had made no unreasonable demand, but it was one which it was impossible for the Government to concede. The hon. Member had asked for something of an intelligible kind, but there was nothing of that nature in this Bill or in the arguments which had been used in support of it. In all cases of this kind where the Schedules formed the operative part of the Bill it was the invariable practice for the Government responsible to produce information applying the Schedules to certain areas and showing what was likely to be the effect of the operation of the Bill in the country generally. In this case they had no such information, and the Government dared not produce it, because it would show at once the unstable foundation upon which these proposals were based. Had the Committee been placed in possession of that information the hon. Member for the Appleby Division would never have ventured to talk about the rural districts in the way he had done. The hon. Member had compared a parish with a village, and had asserted that one public-house to seventy adults ought to be enough for any village. As a rule a country village consisted of its centre part and one or two separated hamlets, and altogether there would probably be three or four public-houses in that village. Did the Government mean by this Schedule, taken in conjunction with the powers already conferred under this Bill, that the power to deal with exceptional cases was to become the rule in every case? If so, what became of all the arguments to the effect that the Bill was going to reduce public-houses enormously? An hon. Member opposite had said that the great mass of county Members opposite were supporting the Bill. That was quite true, and they were doing so although a great many of them were absent while the question was being discussed. It was true also that they came trooping into the lobby in support of the Government, but he doubted whether they were really representing the views of their constituents by supporting such proposals as those they were now discussing. The hon. Member for Appleby was quite wrong when he tried to cast ridicule upon the views of his right hon. friend the Member for the Bordesley division, for he had never suggested that there was no other method of enjoyment for the men living in the villages. Beyond digging in their gardens he did not know what opportunities the residents in villages had for recreation and rest except in the public-houses. He denied that that was an insult to working men whose morality and virtue were as high as those of anybody in the House or in the country. The working men in villages did not possess reading and recreation rooms, and they could only get reasonable refreshment in public-houses. He denied that under this Bill those men would have a public-house within easy reach. If that were so, then the whole of the Schedule, and particularly that part dealing with reduction, went for nought; it would be unworkable and neither the magistrates nor the Commissioners would be able to carry it out. The Under-Secretary had told the Committee that he rested himself upon the Minority

Report of the Peel Commission, and that they had adhered to the nearest precedent to be found, namely, the proposals of Mr. Bruce. The Bruce proposals swept away the Government responsible for them, and he hoped that the new proposals of the Government would have precisely the same effect. That was the only reason why he should be inclined to vote for this Schedule in any shape or form. He believed that that was the effect it would have because of its gross injustice. The hon. Member for Appleby had stated that they could not frame a Schedule which would be more elastic than that proposed by the Government, and he referred to the Report of the Peel Commission. It was on the difference between the Report of the Peel Commission and the proposal of the Government that the Opposition founded their objection to the Schedule, namely, the selection of the area. If there had been given to those who were to carry out this measure the fullest possible power to apply it according to the character and conditions of each area, then he would not have had so much complaint to make. The complaint he made was that the Government laid down a rigid rule and applied it to all parts of the country, notwithstanding that they differed entirely in their characteristics. It was in regard to the selection of the area that the Government had erred more seriously than in other parts of the Bill. As to whether the Amendment was better than the Schedule he had nothing to say. He should vote for the Amendment not because he liked it, but because it gave an opportunity for saying that there should be something less rigid than the Government proposal. He would have voted for an Amendment to destroy the whole of the Government Schedule and to allow the local justices to take such action as they thought necessary. He did not think that would be practicable for the reasons he had stated, but he would support the Amendment as a protest against the Government proposal which he believed was unjust and hastily conceived. The Government had not produced a tittle of evidence in support of the proposal.

*MR. HERBERT SAMUEL expressed his sincere thanks to hon. Gentlemen who had spoken for the complimentary references they had been good enough to make concerning himself. The criticism of the Schedule had proceeded on two lines. It had been said that the Government ought to have laid on the Table of the House tables showing the effect of the mathematical scales on the various parts of the country, and giving information as to the number of licences that would be suppressed. It had been said also that they ought not to have established any rigid mathematical scale at all, but that they ought to have left considerable elasticity in the hands of the justices. Their reply to the second criticism answered the first. It was because the Government had left a wide latitude in the hands of the justices that it was impossible for them to lay on the Table a mathematical statement showing the precise effect of the scale in every rural parish or urban area. That would have been grossly misleading, because it would not show the effect of the Bill; it would be grossly misleading because it would not take into account the many modifications that would be made in the application of the Bill to suit particular circumstances. Hon. Members who had criticised the Schedule had not paid sufficient attention to the paragraphs headed "Modifications." The right hon. Member for the Bordesley Division had said that this scale would mean total prohibition in some cases.

MR. JESSE COLLINGS: Practically. What I said was that the Government would not deny that men in many cases, would have to walk long distances to get a glass of beer, and having to do that, in the winter time in bad weather would amount to prohibition.

*MR. HERBERT SAMUEL stated that with regard to prohibition under no circumstances would the compulsory reduction of licences under the statutory scale in any place be below two. If the right hon. Gentleman would attach weight to the words that followed, he would see that what he had pictured could not occur. The words were—

"Where the strict application of the scale appears in the special circumstances of the case to be inexpedient owing to the isolated position of any licensed premises in the parish or area "

—precisely this case—

"Or to the fact that the premises or any of them are constructed, fitted and intended to be used in good faith for any purpose to which the holding of an on-licence is merely auxiliary—"

then the justices had power to modify.

MR. BARNARD: Subject to the sanction of the Commission.

*MR. HERBERT SAMUEL asked if any Member of the Committee had any reason to suppose that the Commission would veto any such proposal on the part of the licensing justices. Did any hon. or right hon. Gentleman think that the three Commissioners would be men chosen especially for their wrong-headedness? Then, indeed, there would be a wrong administration of the Act. But even although they were "a paid trio sitting in London," would they not carry out the Act in the spirit in which it was intended? Again, there was the case mentioned in the course of the discussion of the central wards of a town containing a large number of licensed houses which would be deprived of an excessive proportion of these houses if the scale were strictly applied. That was covered by two modifications in the schedule. The first was that modifications might be made where any of the premises were constructed, fitted, and intended to be used in good faith for any purpose to which the holding of an on-licence was merely auxiliary. That was a form of words which would cover eating houses, refreshment rooms, hotels, railway refreshment rooms, and so on, and all of these could be exempted by the justices from the operation of the scale, and that would cover a great many cases in the central quarters of the great towns. Paragraph 3 provided that—

"Where it appears that the population of any place being a rural parish or urban area or part of a rural parish or urban area, as shown by the Census, does not represent the population for whom on-licences may be required by reason of the resort thereto of a larger number of persons than that shown in the Census during special seasons of the year or special times of the day, or for any other reason—"

modifications could again be made. These were very wide words. That modification covered the case of the City of London or the business quarters of towns, or market towns where a considerable number of people came from outside. It covered all watering-places, and places like Epping Forest, where the mere census population did not faithfully represent the number for whom the licensed houses might be required to cater. In all these cases the justices would make the necessary modifications in the scale. The hon. Member for Kidderminster had said that all the proposals were subject to the veto of the Commissioners sitting in London. That was so, and the reason why that power was given to the Commissioners was twofold. In the first place, it was in order that they might compare the scheme from one district with the scheme proposed for an adjoining district so that they should not be prepared in watertight compartments, and in order to enable the Commissioners to point out to the licensing justices in one district that the licensing justices in a neighbouring district were or were not suppressing a certain house and that it might be advisable not to suppress or to suppress a particular house near their border. It was to enable the Commissioners to make representations to the licensing justices in order to secure as far as possible the harmonious interworking of the schemes with one another; and, secondly, in order to see that in no case the justices departed from what were the clearly expressed intentions of Parliament either in one direction or the other. But it was not contemplated, and it would not occur, that the Commissioners should use their powers of arbitrarily vetoing the proposals of the justices merely to cause the maximum of inconvenience.

MR. JESSE COLLINGS: They can do it.

*MR. HERBERT SAMUEL said they could. The Home Secretary might, no doubt, upset the criminal jurisdiction in this country by exercising his power of discharging prisoners convicted in any Court, but such a thing did not occur. The Railway Commission might destroy, if its judgments were perverse, the whole railway organisation of the country, and the Ecclesiastical Commissioners might bring to an end the

Established Church. They might get any number of cases where by perversity and folly on the part of Commissioners great evil might follow.

MR. JESSE COLLINGS asked why, if that was the intention of the Government, they did not accept the Amendment proposed by the noble Lord the Member for Horsham, which would have placed the regulations in the hands of the local magistrates who knew the conditions.

*MR. HERBERT SAMUEL said that it was the local magistrates who knew the conditions, and not the Licensing Commission, who would select the houses that were to be discontinued, and the only power placed in the hands of the Licensing Commission was the power of oversight. No more than that. Then the right hon. Gentleman said that if the modifications were to be operative, what was the good of the Government Schedule? It was intended that these modifications should be applied in every proper case. The number of licences were never to be reduced below two, and that applied universally in every parish; but though that and the other modifications could, should and would be applied, he had no doubt in all proper cases, it did not follow that on that ground the whole of the schedule was useless and inoperative. At the present time there were places where there was gross congestion and where little or nothing was being done by the local justices to reduce the licences under the Act of 1904.

MR. BARNARD said that the point he was raising was this: the Secretary of State might make rules of procedure for the licensing justices and why should he not extend that to the Licensing Commission?

*MR. HERBERT SAMUEL said he did not think that that was necessary. The Licensing Commission might make their own rules of procedure. That, however, was a minor point and did not arise on this particular Schedule. He came to the point from which he started. The fact that all these modifications could and would be made rendered it impossible to put on the Table of the House an exact statement as desired by the right hon. Gentleman. Since modifications would be made, it was impossible to say even within two or three thousand how many licensed houses would be suppressed. The Government had given the best estimate which could be formed. One other separate point had been raised. He had made a remark to the effect that this scale was based in general upon the recommendation of the Peel Commission Report. That had been challenged on the ground that they were taking the area of the ward, whereas the Peel Commission took the area of the town. If they took the area of the whole town, it was said, for one licence to every 750 inhabitants they would have a larger number of licences than if they took one house for every 750 inhabitants in the ward. But the Peel Commission said nothing about taking the area of the town. What they said was that the statutory maximum should be fixed not to exceed one licensed house to every 750 inhabitants in the town and to every 400 in the country. That meant that there should be a population of 750 persons in the town for each house. He did not think that they would arrive at that result if they took the whole area of the town and allowed a great congestion of houses in one part of the town where there might be one licensed house for every 200 inhabitants, because in another ward, inhabited by an entirely different class of people, there might be only a small number of houses. The average might not be more than one house to every 750 inhabitants, but although they might be conforming to the letter of the recommendation of the Peel Commission they would not be conforming to its spirit. That was the reason why the small area had been taken. He hardly thought it would be in order to discuss in detail that particular question upon this Schedule, because it had been decided by the Committee that the small areas should be the ones adopted for this purpose. In these circumstances he asked the Committee to adhere to the Schedule as it now stood.

*MR. CAVE (Surrey, Kingston) said it was important to remember that under the Bill as it stood the amount of compensation levy for purposes of statutory reduction was absolutely unlimited. His opinion was that the number of premises to be suppressed under the Schedule was not 30,000, but a very much larger number. It might be that the Government estimate of 30,000 would prove wrong and the levy too small, so that the levy on existing houses would be much larger than the Government reckoned. He would give a few figures from the larger towns. On this point the Committee had had no help from the Government, although the Government were asked to give the information as far back as March last. The answer then was that there was no time to get it. What the Government had not found time to do with all their resources, had been done in many cases by private effort. He himself had got figures for nearly all the large towns and cities, and he believed the estimated reduction of 33 per cent. was wholly erroneous. If they took London as a whole the number of houses allowed for the population would be 5,941. If they took it ward by ward, not borough by borough, the number allowed was 4,562, or about 1,400 less than the scale number for the whole. He agreed, however, that so far as London was concerned, 33 per cent. was not very far wrong. In Birmingham the reduction under the scale was from 1,365 to 629—a reduction of more than 50 per cent.; in Bradford it was from 581 to 368, a good deal more than 33 per cent.; in Liverpool, out of 1,844, the number to be suppressed was 1,016, —a good deal more than 50 per cent., nearly 60 per cent.; in Hull the present total was 433, of which 248 were to be refused, again very much more than 50 per cent.; in Portsmouth the number was 753, which under the scale would be reduced by 430, again very much more than 50 per cent.; in Norwich there were at present 544 houses which under the scale would be reduced by 351, leaving 193; in West Hartlepool the present number was 85 which would be reduced by 44, again nearly 50 per cent., notwithstanding the fact that there, taking the borough as a whole, the number of houses was less than that which would be allowed under the scale. With the exception of London there was no place he knew of where the estimate of 33 per cent. would be right.

*MR. HERBERT SAMUEL: I do not altogether accept all these figures. I think the hon. Member is wrong as regards Bradford and possibly one or two others.

*MR. CAVE: Then the Government had some figures which they had not given to the Committee. He really thought the Committee should have whatever material was in the possession of the Government, and ought not to be left to estimates which might be right or wrong. These estimates had been very carefully framed and he believed in most cases they were right. His point was that 33 per cent., or a reduction of 30,000 houses was not a reliable estimate. The number might reach 40,000. In this respect as in others, the Bill had not been carefully or fully thought out and although he was not satisfied with the amended Schedule, still it was an improvement on the Bill as drawn, and he would vote for the Amendment.

MR. JAMES HOPE (Sheffield, Central) said he should like to join in the congratulations which had been expressed to the right hon. Gentleman opposite in regard to the honour which had been conferred upon him, and, after the way in which he and the Solicitor-General had conducted this Bill, he only wished to say that with their high moral and intellectual qualities he was sorry that they had so troublesome a task before them. He thought that this debate had been conducted under great difficulties. They had been told by the Chairman that they could not discuss the general question of the operation of the scheme, as that had been decided on Clause 1. It might have been decided but it was not discussed. In Clause 1 they found these words—

> "Licensing justices shall in accordance with this Act reduce the number of on-licences in their district."

That was all that was discussed, and the question which would have come later in that clause as to whether they should have a Schedule or not was never discussed. Now that they came to the Schedule, however, they were told that the matter was decided on Clause 1, and the only thing they could discuss was the exact proportion and terms of the Schedule. If they had an open chance for discussion there was no doubt that all of them would contend, not that 300 was better than 400, or 200 better than 500, but that the matter should be left to the discretion of the justices, and that no Schedule should be insisted upon at all. The right hon. Gentleman, in reply to his hon. and learned friend the Member for Kingston, spoke of the Bradford figures as not being accurate, and it appeared from the right hon. Gentleman's answer that certain estimates had been obtained by the Government, at least with regard to large towns. What he would like to ask him was this. Would he not produce those estimates, showing at any rate, what the effect of this Bill would be supposing the modifications Nos. 1, 2 and 3 in the Schedule were not applied? If he would do that, it would only be a matter of clerks' work and calculation and they would have some basis on which to go. He would really ask him whether before this debate came to an end, he would not give those figures of how the scheme would work, if the suggested modifications were not in the Bill. Then he would ask another question, which had not been alluded to before the hon. Member for Kingston spoke of it at the end of his speech. How were the Government sure that on the working of their scheme there would be enough money from the compensation levy at the present rate or even at the maximum rates? Could they say, or had they any data to go upon, whether there would be enough money to bring about this scheme of reduction without going beyond the maximum rates which at present existed? Because when they were disposing of an earlier clause—Clause 12, he thought—they were told that there was some possible chance that the maximum rates would be exceeded, but that the Government did not contemplate it, except just once in a way and therefore they would not put the word "maximum" in. Would those rates be exceeded? He presumed the Government had made some calculation, and if they had would they tell them what it was? If they would not how could they act upon any scale or Schedule such as this? He opposed the Schedule and supported the modification of 300, on the ground of its giving larger power to the licensing justices. Some hon. Members talked as if there was both a maximum and a minimum scale, but they must remember that under Clause 4 there was a large power of reduction. He put it to the Government whether it would not be better to have a much freer scale, because the optional reduction could be applied afterwards. On these grounds he sincerely hoped the Amendment would be passed, and before the debate came to an end he hoped an answer would be given to the two questions which he had put.

*MR. GRETTON (Rutland) said that as the Amendment which was being discussed appeared upon the Paper in his name, he thought he owed some explanation to the Committee as to why he adopted a particular scale. It was in order to find an alternative scale to that engrafted on the Bill in Clause 1 upon which clause the principle of a scale was not discussed that he put down this scale upon the Paper, because it afforded more elasticity to the justices than the more rigid scale of the Government. He did not, however, approve of any scale whatever, but in order to give the justices a greater discretion he proposed one giving them greater elbow-room and more power. The Committee would remember that the scale which the Government proposed was a maximum one, subject to modifications, and in the other clauses of the Bill there was given to the justices power to reduce below the maximum scale which the Government proposed, low as that scale was. In the somewhat remarkable speech which had just been made on behalf of the Government, he noticed that the Under-Secretary made practically no attempt to justify the Government scale. He spoke more easily, confidently, and fluently when he was dilating upon the excellent working of the modifications. In fact, the right hon. Gentleman based the Government case not upon the scale but upon the modifications. It had been made abundantly clear in the course of the debate that the Government themselves did not know how their scale was going to work. They had not formed any estimate to lay before the House and the country; although they had been pressed to do so over and over again, they were evidently afraid to produce any information which they had in their possession, because it would not support their case. The right hon. Gentleman had challenged his hon. and learned friend's figures with regard to Bradford. He himself also had some information about Bradford. The total number of licences appeared to be at present 581. The number to be reduced by wards under this scale would be 213. There were, in all, twenty-one wards in Bradford, but there were nine wards that had licences considerably below the numbers in the scale. In these nine wards there were 140 licences lacking according to the Government scale. How did the Government propose to deal with a case like that? For fourteen years, under the earlier clauses of the Bill, the justices had no discretion to increase licences, and yet according to the scale which the Government put into the Bill this increase was necessary. A similar position existed in a large number of the cities with regard to which he had information. The Government themselves had not yet been able to produce any justification for this scale, and did not know how it would work out either financially or in the reduction of licences. They said the matter was within the discretion of the justices, who might make exceptions as the circumstances of the case demanded. But they forgot that the justices were to be overruled by the Commissioners, who had enormous powers given to them under the Bill. The only answer made to that was that the Commissioners would administer the Bill in the spirit in which it was drawn, and they would not be wrong-headed. They on that side, however, objected to the spirit of the Bill as being wrong-headed, and if the Commissioners administered it in the spirit in which it was prepared, they must administer it in a wrong-headed manner. He did not like his own Amendment, but, of course, it was better than the Government proposal. If he had been free to debate this question on the principle he would have put down a different Amendment, but owing to the way their debates were trammelled and their discussion was hampered, according to the decision which the Chairman was obliged to give under the conditions of the closure Resolution, they were not allowed to express their opinions freely. As he had put down the Amendment he should certainly vote for it if the question went to a division, because it was better than the Government scale.

SIR F. BANBURY (City of London) said the hon. Member for Sheffield had made a touching appeal to the Under-Secretary to produce the figures which he evidently had in his possession, dealing with the reduction of licences and levy, and any calculations he might have made in regard to the modifications put in at the end of the Schedule. He could assure his hon. friend that, however eloquent his appeal might be, it would have no effect upon the Government bench, for the simple reason that, in his opinion, they were afraid to show the figures to the country, because if they did, even the fanatical temperance party behind them would not dare to vote for such a wholesale reduction as those figures showed. When the right hon. Gentleman's attention was drawn to the fact that the licensing justices were not instructed but only given power, the right hon. Gentleman gave two defences. His first defence was a eulogy of the justices. He compared them to the Railway Commissioners, the Ecclesiastical Commissioners, and all the great authorities which ruled and governed this kingdom. Might he ask why he had been so suddenly converted, and why he would not accept the Amendment of an hon. Member which would have given discretion to these justices? Another defence was that under the 1904 Act the justices could reduce the numbers in just the same way as they could now. Might he point out that there was a difference? Under this Act a plan was laid down by which Parliament instructed the licensing justices to prepare a scheme, and this plan required that a large reduction should be made. There was nothing of that sort in the 1904 Act. The licensing justices, by the very nature of the circumstances, must be bound to pay some regard to the wishes of Parliament. Under these circumstances they must make a great reduction in the number of licences. But a safeguard which was in the Act of 1904, was omitted from this Bill. Under the Act of 1904, though the compensation was larger, the levy was limited; but under this Bill, although the compensation was smaller, the levy was unlimited. He had listened to the speeches of hon. Gentlemen opposite upon this Amendment. The hon. Member for West Cambridgeshire and the hon. Member for the Appleby division had spoken in favour of the Schedule, the hon. Member for the Hitchin division had spoken against it, and the hon. Member for Kidderminster, who, although he sat on the Labour Benches, usually voted for the Government, and therefore must be taken to be a supporter of the Government, had also supported the Amendment. Therefore, they had two hon. Gentlemen from the Ministerial side of the House in favour of the Amendment and two against it. The hon. Member for West Cambridgeshire objected to the Amendment because it was rigid, though not so rigid as the Schedule, and suggested that if elasticity was required it should be obtained in some other way. But the short answer to that was that the Amendment was more elastic than the Schedule, and therefore better than the Government's proposal. The hon. Member for Appleby made the startling statement that it would be very easy for the labourer to get his glass of beer within an easy distance. But it all depended upon what one thought was an easy distance. The hon. Member might think two miles was an easy distance. Another extraordinary thing was this. He believed the right hon. Gentleman the Under-Secretary, and he was sure the hon. Member for the Appleby division, supported the Schedule on the ground that it was one of the recommendations of the Minority Report. The Minority Report recommended that there should be one house for every 150 in the urban areas and for every 400 in the rural areas. The Minority Report was continually being quoted in support of the bad features of this Bill. With regard to the Amendment itself, he believed that in rural areas the Schedule would almost extinguish the public-house. He did not think it would have much effect in urban areas. In London, he was informed, the reduction would be one-third; London would have to be thankful for small mercies. In the large urban areas where they had well-lighted streets it would not be a great hardship to go a mile. It could be travelled in a County Council car very cheaply. But hon. Members did not need to be told that there were no trams in the country, and it would be a very great hardship on a winter's evening to walk a mile and a half on a country road. Then hon. Gentlemen must remember that the public-house in a small village was really used as a club. It was not the passing stranger, but the *habitue* of the place who went in to smoke his pipe, to see his neighbour, to have a little conversation and to pass away an hour after his employment for the day was over. That being so, it was in these particular rural districts that the Schedule would tell with great hardships. His experience of the country, especially of the thinly-populated parts, convinced him that his right hon. friend was correct, and that these people would have to walk a considerable distance, not for a glass of beer—that did not matter so much—but to meet their friends and have a pipe. Under these circumstances he should support the Amendment, and he hoped his hon. friend would go to a division.

*MR. GIBBS (Bristol, W.) said the Under-Secretary to the Home Office had remarked that his right hon. friend the Member for Bordesley had painted an altogether too dreary picture of what would happen if the Bill passed into law. The right hon. Gentleman had said that the places where there were two or less persons per acre comprised nearly the whole of the rural districts. He then said that the modification was so very much better that it would leave the country districts practically as they were at the present time. That being the case, why apply this first Schedule to the country districts at all? He knew there were many parts of the down and moorland country and of the hilly districts where very great hardships were sure to fall upon labourers, more especially old labourers, who had had the benefit of having a public-house near to their doors where they could go to meet and see their friends. If the Government Schedule were accepted, these old people would be deprived of their evening's entertainment or would have to walk two or three or possibly more miles to a public-house. He and his colleagues had been twitted for supporting the Amendment; they only did so because it offered something better than the Government's Schedule. They would have liked the Schedule wiped out altogether. Though he supported the Amendment, it was in the hope that at a future time it would be altered for the better.

Mr. JAMES HOPE asked whether the right hon. Gentleman could but would not, or whether he would but could not, answer the two questions that he had put to him.

*Mr. HERBERT SAMUEL said he had already dealt with the point.

Question put.

The Committee divided:—Ayes, 225; Noes, 87. (Division List No. 351.)

AYES.

Agar-Robartes, Hon. T. C. R.
Ainsworth, John Stirling
Alden, Percy
Allen, A. Acland (Christchurch)
Ashton, Thomas Gair
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Belloc, Hilaire Joseph Peter R.
Benn, Sir J. Williams (Devonp'rt
Berridge, T. H. D.
Bethell, Sir J. H. (Essex, Romf'rd
Black, Arthur W.
Boulton, A. C. F.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Brodie, H. C.
Brunner, J. F. L. (Lancs., Leigh)
Brunner, Rt Hn Sir J. T (Cheshire
Bryce, J. Annan
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cameron, Robert
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cherry, Rt. Hon. R. R.
Clough, William
Clynes, J. R.
Collins, Stephen (Lambeth)
Compton-Rickett, Sir J.
Corbett, C H (Sussex, E. Grinst'd
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cowan, W. H.
Craig, Herbert J. (Tynemouth)
Crooks, William

Davies, David (Montgomery Co.
Davies, Ellis William (Eifion)
Davies, M. Vaughan-(Cardigan)
Davies, Timothy (Fulham)
Dewar, Arthur (Edinburgh, S.)
Dilke, Rt. Hon. Sir Charles
Dobson, Thomas W.
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunne, Major E. Martin (Walsall
Edwards, Clement (Denbigh)
Edwards, Sir Francis (Radnor)
Erskine, David C.
Essex, R. W.
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Gladstone, Rt. Hn. Herbert John
Glen-Coats, Sir T. (Renfrew, W.
Glendinning, R. G.
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Grant, Corrie
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Gulland, John W.
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Harmsworth, R. L. (Caithn'ss-sh
Hart-Davies, T.
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hazel, Dr. A. E.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.)
Herbert, Col. Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Hooper, A. G.
Hope, W. Bateman (Somerset, N

Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Illingworth, Percy H.
Jackson, R. S.
Jacoby, Sir James Alfred
Jardine, Sir J.
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D.
King, Alfred John (Knutsford)
Laidlaw, Robert
Layland-Barratt, Sir Francis
Lehmann, R. C.
Lever, W. H. (Cheshire, Wirral)
Lewis, John Herbert.
Lloyd-George, Rt. Hon. David
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk B'ghs
Maclean, Donald
MacVeagh, Jeremiah (Down, S.
M'Callum, John M.
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Marks, G. Croydon (Launceston)
Marnham, F. J.
Massie, J.
Masterman, C. F. G.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Money, L. G. Chiozza
Montagu, Hon. E. S.
Morgan, J. Lloyd (Carmarthen)
Morse, L. L.
Murray, James (Aberdeen, E.)
Myer, Horatio

Napier, T. B.
Newnes, Sir George (Swansea)
Nicholls, George
Nicholson, Charles N. (Doncast'r
Norman, Sir Henry
Norton, Capt. Cecil William
Nuttall, Harry
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Perks, Sir Robert William
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Ponsonby, Arthur A. W. H.
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rees, J. D.
Richards, T.F. (Wolverh'mpt'n
Ridsdale, E. A.
Roberts, G. H. (Norwich
Robertson, Sir G. Scott (Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Roch, Walter F. (Pembroke)
Rose, Charles Day
Rowlands, J.
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Schwann, C. Duncan (Hyde)
Schwann, Sir C.E. (Manchester)
Scott, A.H. (Ashton-under-Lyne
Sears, J. E.
Seaverns, J. H.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn. A. Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Sutherland, J. E.
Thomas, Abel (Carmarthen, E.)
Thomas, Sir A. (Glamorgan, E.)
Thorne, G.R. (Wolverhampton)
Thorne, William (West Ham)
Tomkinson, James
Ure, Alexander
Verney, F. W.
Vivian, Henry
Walsh, Stephen
Walton, Joseph
Ward, John (Stoke-upon-Trent
Wardle, George J.
Warner, Thomas Courtenay T.
Wason, Rt. Hn. E. (Clackmannan
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. Dundas (Dumbart'nsh
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker, Rt. Hn. Sir Thomas P
Wiles, Thomas
Williams, Osmond (Merioneth)
Wills, Arthur Walters
Wilson, Henry J. (York, W.R.)
Wilson, W. T. (Westhoughton)
Winfrey, R.

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood, Rt Hn. Sir Alex. F.
Anstruther-Gray, Major
Arkwright, John Stanhope
Ashley, W. W.
Aubrey-Fletcher, Rt. Hon. Sir H.
Baldwin, Stanley
Banbury, Sir Frederick George
Barnard, E. B.
Barrie, H. T. (Londonderry, N.)
Bertram, Julius
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Carlile, E. Hildred
Cave, George
Cecil, Lord R. (Marylebone, E.)
Cochrane, Hon. Thos. H. A. E.
Collings, Rt. Hn. J. (Birmingh'm
Craig, Captain James (Down, E.)
Craik, Sir Henry
Cross, Alexander
Dixon-Hartland, Sir Fred Dixon
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Duncan, Robert (Lanark, Govan
Faber, Capt. W. V. (Hants, W.)
Fardell, Sir T. George
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Gibbs, G. A. (Bristol, West)
Goulding, Edward Alfred
Guinness, Hon. R. (Haggerston)
Guinness, W. E. (Bury S. Edm.
Hamilton, Marquess of
Heaton, John Henniker
Hill, Sir Clement
Hills, J. W.
Hope, James Fitzalan (Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Joynson-Hicks, William
Keswick, William
King, Sir Henry Seymour (Hull)
Lambton, Hon. Frederick Wm.
Law, Andrew Bonar (Dulwich)
Lee, Arthur H. (Hants, Fareham
Lockwood, Rt. Hn. Lt.-Col. A.R.
Long, Rt. Hn. Walter (Dublin, S.)
Lonsdale, John Brownlee
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
M'Arthur, Charles
Marks, H. H. (Kent)
Middlemore, John Throgmorton
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
Oddy, John James
Pease, Herbert Pike (Darlington
Percy, Earl
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Rawlinson, John Frederick Peel
Renton, Leslie
Roberts, S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Ropner, Colonel Sir Robert
Rutherford, John (Lancashire)
Salter, Arthur Clavell
Smith, F.E. (Liverpool, Walton)
Stanley, Hon. Arthur (Ormskirk
Starkey, John R.
Talbot, Lord E. (Chichester)
Talbot, Rt. Hn. J.G. (Oxf'd Univ.
Tennant, Sir Edward (Salisbury
Thomson, W. Mitchell-(Lanark)
Valentia, Viscount
Walrond, Hon. Lionel
Whitbread, Howard
White, Patrick (Meath, North)
Wortley, Rt. Hon. C. B. Stuart-
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE NOES—Mr. Gretton and Mr. George Faber.

MR. SAMUEL ROBERTS moved to replace the note to Schedule 1 by substituting another setting forth that the number of persons should be calculated according to a yearly estimate of the population to be made by the local authority. The note at the foot of the Schedule in the Bill stated that—

> "The number of persons shall be calculated according to the last Census for the time being."

The Committee were aware that the Census took place every ten years, and the last was taken in 1901. Unless some such Amendment as he proposed was made, the people born since 1901 would be excluded from their proper share of public-houses. The total population of England and Wales in 1901 was 32,527,000, and according to the Census ten years before that it was 29,002,000, making an increase in ten years of about 3,500,000. He estimated that unless some alteration was made in this provision they would be excluding from their fair share of licensed houses between three and four millions of people. These schemes had to be made by the justices; it was compulsory that they should prepare them by 1st April next year, and the Census which they would have to take would be the Census of 1901. What he proposed was that the Government should substitute for the Census of 1901 the calculations made by the local authority of what the population was during the current year, 1908. There would be no difficulty about that at all. At the present time in England and Wales the local authorities calculated for their own purposes what the population was, and the figures appeared in the report of the medical officer of health. There would be absolutely no difficulty at all in taking the estimates of population contained in the reports of medical officers year by year. Under Clause 6, the justices were compelled to revise their scheme if required by the Licensing Commission to do so, but how could the Licensing Commision require the revision of a scheme unless they had an accurate estimate of what the population was? He hoped the Government, for these reasons, would meet them by accepting the Amendment. He begged to move.

Amendment proposed—

"In page 24, lines 13 and 14, to leave out the words 'the last Census for the time being,' and insert the words 'a yearly estimate of population to be made by the local authority.'"—(*Mr. Samuel Roberts.*)

Question proposed, "That the words proposed to be left out stand part of the Schedule."

Mr. ASHLEY (Lancashire, Blackpool) said that this Amendment, which he most strongly supported, closely affected the interests of his constituents in the town of Blackpool. Earlier in these debates the Solicitor-General had rather doubted the figures as to the actual population of that town, but on further investigation he apparently was inclined to think that his statement as to the number of the population was perfectly correct. The last Census was taken in 1901, when the population of Blackpool was 47,000. At the present moment, according to the statement of the town clerk in a return made by the municipal authority, the population was 60,000. Thus, if the Government proposal were carried into effect, 13,000 people in Blackpool would not have the licensed house accommodation to which the Government themselves said they were entitled. Of course, the Government would say that if they looked at subsection (4) it would be seen that by modifications they tried to meet the justice of the case. His answer was that while no doubt they would mitigate the injustice, yet he failed to see why the Government could not accept the reasonable Amendment of his hon. friend which put the matter on as fair a basis as possible. If any subsequent modifications were necessary, then let the magistrates make such further modifications as were thought necessary to make the arrangement more just. In 1903, Blackpool was made into a county borough, and the authority who granted incorporation put the population at 50,000, though according to the Census in 1901 it was 47,000. If the Local Government Board, who had charge of the incorporation of county boroughs, thought the municipal authorities of Blackpool were sufficiently reliable to give their estimate of the town's population, surely it was open to the Committee to consider whether other local authorities all over the country were sufficiently responsible to estimate their own populations. He thought the Amendment a most reasonable one. It did not in the least strike at any principle which hon. Members opposite had so much at heart, and he hoped the Government would see their way to accepting it.

The SOLICITOR-GENERAL (Sir S. Evans, Glamorganshire, Mid.) said there seemed to be reasonableness underlying the Amendment, though it would be difficult to apply in practice. It was true the last Census available was that of 1901, which was published a year or two years later. There was a very general desire that the Census should be quinquennial and not decennial, and probably that would be adopted after the next Census. The difficulty was this. They must have a normal standard. They could not rely merely on estimates, and the Amendment would make it compulsory on local authorities in every ward to estimate the population every year. He knew it was done in some cases now, but it was not universally done, and in any event they were merely estimates. In theory he was not much against the Amendment, and the Government were not, but they considered it better to have as a normal standard the authoritative figures of the Census instead of a mere estimate. Modification 3 of the Schedule said that a modification could be made—

> "Where it appears that the population of any place being a rural parish or urban area or part of a rural parish or urban area, as shown by the Census, does not represent the population for whom on-licences may be required by reason of the resort thereto of a larger number of persons than that shown in the Census during special seasons of the year or special times of the day, or for any other reason."

The combined effect of this and of subsection (3) of Section 6, which authorised licensing justices to revise their schemes with reference to any alteration in the circumstances of the district, really made the Amendment unnecessary. The objection to the Amendment was really a practical objection arising from the advisability of having some normal standard like the authoritative figures of the Census, instead of mere estimates which might or might not be made. Although the schemes would be made under the Census of 1901 it would be possible to revise them after the next Census, or even before that. Where there was a rapid change, a considerable increase in population, it would probably be in districts where new licences were required rather than a reduction of existing houses. The scheme would spread over a period of fourteen years, and he did not think in practice it would be found inadvisable to stick to the normal authoritative figures of the Census instead of these estimates.

MR. WALTER LONG (Dublin, S.) said he was sorry the Solicitor-General had not been able to give a more hopeful reply. Even the case as put by his hon. friends did not represent by any means the full case as it was known to those who were conversant with the changes which frequently had to be made in local government areas. The Solicitor-General had overlooked the case which most frequently occurred, that within a period of ten years a railway company found its works were situated in the wrong place, and moved them suddenly to a fresh district. Within a period far less than ten years, the population might grow up to several thousands. That occurred when the Great Western Railway moved their works to Swindon, and the South Western to Eastleigh. The Solicitor-General would see the ridiculous result of applying this Bill upon a basis of population to an area which according to the last Census had a population of a few hundreds, but which in reality had a population of many thousands, or one which was a rural district with a scattered population according to the Census, but in reality a town with a rapidly increasing population. These cases must be provided for, and they were not by any means so exceptional as the Solicitor-General appeared to think. Take, further, the case which not infrequently occurred of the extension of a town to include a district outside the borough area. It was not part of the town. It was returned in the Census as a village with a population of 800 or 1,000, though there might be an urban population of 6,000 to 10,000 people by the time the Bill came into operation. The Solicitor-General said there was power to re-arrange, but he could not conceive how this re-arrangement was to be effected. They laid down a strict scale in the Bill. All these difficulties would have disappeared if the Government had earlier accepted their suggestion that there should be power given to those who would have to administer the Act to deal with the matter according to the requirements of various districts. But they were compelled to deal with it in a particular fashion and upon particular data which the Bill laid down. The Solicitor-General said they could reconsider it when the next Census had been taken. The Bill was going to cause a great deal of agitation and unrest in various districts. They were debating the other day the time which was to elapse after a house had been condemned. They were to take the population of a particular area as given in the Census, although the Commissioners would know that the population was totally different. There, again, he presumed they got the same answer as was given on the previous Amendment. "It is true this is what we lay down in the statute, but we do not intend it to be so regarded by those who will have to enforce it. We expect them to overlook our ignorance of local conditions and requirements and to interpret it in a different fashion, and in effect to make all that is intended to be the exception into the general practice." If that was what they intended to be done they should make it clear in the Act. Application was frequently made by a borough with a population of 50,000 to be made a county borough, and by an urban district to be incorporated. In both these cases the locality was entitled to make application upon the population as arrived at and not upon the population as it appeared in the Census. In a great many cases no difficulty would arise, and where the population had naturally altered they would remove the practical difficulty by accepting the Amendment. He was sufficiently charitable to desire that the Bill should be shorn of as many of its rough edges and awkward angles as possible. This really was a very rough edge. He had no desire whatever to help in improving the character of the Government and he did not much care how angular the measure was, but this was so simple a matter and the question was so common that he would appeal to the Government to reconsider their decision and accept the Amendment, which would really do something to improve the appearance of their measure.

SIR S. EVANS said he would like to meet the wishes of the Committee so far as he reasonably could. He thought they must stand to the Census as indicating the normal population all over the country. That was the invariable practice. When the last Education Bill passed through the House of Commons, when they were discussing what ought to be the population in areas which were to be autonomous, they took the Census of 1901 as a hard and fast line. He remembered perfectly well pointing out that Carmarthen, for instance, became by reason of the figures of the Census an autonomous area, because the county asylum was within the borough area, and this brought the population above 10,000. He was perfectly willing, in order to make the matter a little clearer and beyond any doubt from the point of view of construction, when they came to line 29 of the modifications to accept the Amendment of the hon. Member for Kingston, and the power to modify would be given in these express terms—

> "Where it appears that the population of any place being a rural parish or urban area or part of a rural parish or urban area, as shown by the Census, does not represent the population for whom an on-licence is required, by reason of a substantial increase of population since the Census"——

and so on. He thought that reasonably met the point raised by the Amendment.

*MR. BERTRAM wished to point out one thing in regard to the modification suggested. The licensing magistrates were to ascertain the number of persons to the acre from the Census. They had in the case of boroughs to consider the wards. It seemed to him that the Amendment the Solicitor-General had expressed his intention of accepting did not really meet the point. The information required was not given in the Census returns so far as the acreage of wards was concerned and the justices could not in fact procure it as the Schedule directed them to do.

MR. SAMUEL ROBERTS asked leave to withdraw his Amendment.

Amendment, by leave, withdrawn.

MR. G. D. FABER moved to substitute the word "shall" for the word "may" in order to make it obligatory on the justices in given circumstances to make modifications in the strict application of the scale. In order to secure that justice should be done it was only reasonable that it should be compulsory upon the magistrates to make the modifications. Justices might not turn out such reasonable men for the purposes of this Schedule as the Government imagined, and injustice might arise.

Amendment proposed—

"In page 24, line 16, to leave out the word 'may,' and insert the word 'shall.'"—(*Mr. G. D. Faber.*)

Question proposed, "That the word 'may' stand part of the Schedule."

Sir S. EVANS hoped the hon. Member would not press this Amendment because he thought he would see on reflection that the word "may" was the proper word. No doubt the justices in the majority of cases would regard "may" in the sense of "shall." They desired to leave these matters to the discretion of the justices and they had to have regard to various considerations.

*Mr. STUART WORTLEY (Sheffield, Hallam) thought his hon. friend was quite justified in moving his Amendment, because it was a very mild compulsion to place upon the justices. The modifications could only apply where "it appears inexpedient to reduce the number below two." "Inexpedient" was capable of a very elastic construction. The word "may" suggested to the justices that they would be at liberty to disregard evidence tendered in favour of the modifications specified. Magistrates would naturally conclude that Parliament would not have inserted "may" if "shall" had been the intention, and some benches might be inclined to use this distinction in a fanatical sense. Therefore, he thought the substitution of "shall" for "may" was a necessary change.

Mr. ASHLEY could not see what possibly objection there could be to saying to the licensing justices: "You shall take into consideration the growth of this town, and you shall modify the scale in accordance with the number of people now known to exist in the town." If they left in the word "may" it might cause a great injustice to a town where a fanatical bench was in power. If his hon. friend went to a division he should support him.

Mr. CARLILE (Hertfordshire, St. Albans) asked what the Government wished to be done in this matter. Did they desire the justices to take into consideration all the circumstances referred to in the modifications or did they wish them to have an absolutely free hand? He would like to know if the intention was that the justices should ignore the modifications altogether? The Government were not willing to put this small amount of pressure upon the justices in order that they should consider this evidence, and the whole tendency of retaining the word "may" was against a proper consideration of these just and proper modifications. The Government did not hesitate, where they wanted their own particular policy carried out, to coerce the justices, and take the whole control out of their hands. It was clear that the Government did not wish the justices to entertain any evidence on the subject at all, but desired to close the door against any elasticity in order to harass and restrict the trade.

Question put.

The Committee divided:—Ayes, 225; Noes, 84. (Division List No. 352.)

AYES.

Agar-Robartes, Hon. T. C. R.
Ainsworth, John Stirling
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Ashton, Thomas Gair
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Belloc, Hilaire Joseph Peter R.
Benn, Sir J. Williams (Devonp'rt
Berridge, T. H. D.
Bethell, Sir J. H. (Essex, Romf'rd
Black, Arthur W.
Boulton, A. C. F.
Brace, William
Bramsdon, T. A
Branch, James
Brigg, John
Brodie, H. C.

Brunner,J.F.L. (Lancs., Leigh)
Brunner,RtHnSirJ.T (Cheshire
Bryce, J. Annan
Burns, Rt. Hon. John
Byles, William Pollard
Cameron, Robert
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cherry, Rt. Hon. R. R.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Compton-Rickett, Sir J.
Corbett,CH (Sussex,E.Grinst'd
Cotton, Sir H. J. S.
Cox, Harold
Crooks, William
Davies,David (Montgomery Co.
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Dewar, Arthur (Edinburgh, S.)
Dickinson,W.H. (St. Pancras,N
Dilke, Rt. Hon. Sir Charles
Dobson, Thomas W.
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunne,Major E.Martin(Walsall
Edwards, Clement (Denbigh)
Edwards, Sir Francis (Radnor)
Essex, R. W.
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Gladstone,Rt.Hn.Herbert John
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Grant, Corrie
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Gulland, John W.
Harcourt,Rt.Hn.L.(Rossendale
Harcourt,Robert V. (Montrose)
Harmsworth,R.L. (Caithn'ss-sh
Hart-Davies, T.
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hazel, Dr. A. E.
Helme, Norval Watson
Henderson, Arthur (Durham)
Henderson,J.M. (Aberdeen,W.)
Herbert,Col. Sir Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Hooper, A. G.
Hope,W.Bateman (Somerset,N
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter

Hutton, Alfred Eddison
Illingworth, Percy H.
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, Sir James Alfred
Jardine, Sir J.
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Layland-Barratt, Sir Francis
Lehmann, R. C.
Lever,A.Levy (Essex, Harwich
Lever, W.H. (Cheshire, Wirral)
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Macdonald, J. R. (Leicester)
Macdonald,J.M. (Falkirk B'ghs
Maclean, Donald
MacVeagh, Jeremiah (Down,S.
M'Callum, John M.
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Marks,G. Croydon(Launceston)
Marnham, F. J.
Massie, J.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Money, L. G. Chiozza
Montagu, Hon. E. S.
Morgan,J.Lloyd (Carmarthen)
Morse, L. L.
Murray, James (Aberdeen, E.)
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Newnes, Sir George (Swansea)
Nicholls, George
Nicholson,Charles N.(Doncast'r
Norman, Sir Henry
Norton, Capt. Cecil William
Nuttall, Harry
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Perks, Sir Robert William
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Ponsonby, Arthur A. W. H.
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rees, J. D.
Richards,T.F. (Wolverh'mpt'n
Richardson, A.
Ridsdale, E. A.

Roberts, G. H. (Norwich)
Robertson,Sir G.Scott(Bradf'rd
Robinson, S.
Roch, Walter F. (Pembroke)
Rose, Charles Day
Rowlands, J.
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L.(Cleveland)
Schwann, C. Duncan (Hyde)
Schwann,Sir C.E. (Manchester)
Scott,A.H.(Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley,Hn. A Lyulph (Chesh.)
Steadman, W. C.
Stewart-Smith, D. (Kendal)
Sutherland, J. E.
Tennant,Sir Edward(Sailsbury)
Thomas,Abel (Carmarthen, E.)
Thomas,Sir A. (Glamorgan, E.)
Thorne,G.R. (Wolverhampton)
Thorne, William (West Ham)
Tomkinson, James
Ure, Alexander
Verney, F. W.
Vivian, Henry
Walsh, Stephen
Walton, Joseph
Ward, John(Stoke upon Trent)
Warner, Thomas Courtenay T.
Wason,Rt.Hn.E.(Clackmannan
Wason,John Cathcart(Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White,J.Dundas(Dumbart'nsh.
White, Luke (York, E. R.)
Whitehead, Rowland
Whitley,John Henry (Halifax)
Whittaker,Rt Hn.SirThomasP.
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters
Wilson, Henry J.(York, W.R.)
Wilson, W. T. (Westhoughton)
Winfrey, R.

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood,Rt Hn.SirAlex.F
Arkwright, John Stanhope
Ashley, W. W.

Aubrey-Fletcher,Rt.Hon.SirH.
Baldwin, Stanley
Banbury,Sir Frederick George

Banner, John S. Harmood-
Barnard, E. B.
Barrie, H. T. (Londonderry,N.

Bertram, Julius
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Carlile, E. Hildred
Cave, George
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.
Clive, Percy Archer
Cochrane, Hon. Thos. H. A. E.
Collings, Rt. Hn. J. (Birmingh'm
Craig, Captain James (Down, E.)
Craik, Sir Henry
Cross, Alexander
Dixon-Hartland, Sir Fred Dixon
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Duncan, Robert (Lanark, Govan
Faber, George Denison (York)
Faber, Capt. W. V. (Hants, W.)
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest
Goulding, Edward Alfred
Gretton, John
Hamilton, Marquess of
Heaton, John Henniker
Hill, Sir Clement
Hills, J. W.
Hope, James Fitzalan (Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Joynson-Hicks, William
Keswick, William
King, Sir Henry Seymour (Hull)
Law, Andrew Bonar (Dulwich)
Lockwood, Rt. Hn. Lt.-Col. A. R.
Long, Rt. Hn. Walter (Dublin, S)
Lonsdale, John Brownlee
Lowe, Francis William
Lyttelton, Rt. Hon. Alfred
M'Arthur, Charles
Middlemore, John Throgmorton
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
Oddy, John James
Pease, Herbert Pike (Darlington
Percy, Earl
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Rawlinson, John Frederick Peel
Renton, Leslie
Ronaldshay, Earl of
Ropner, Colonel Sir Robert
Rutherford, John (Lancashire)
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Stanley, Hon. Arthur (Ormskirk
Starkey, John R.
Talbot, Lord E. (Chichester)
Talbot, Rt. Hn. J. G. (Oxf'd Univ
Thomson, W. Mitchell- (Lanark)
Thornton, Percy M.
Valentia, Viscount
Walrond, Hon. Lionel
Whitbread, Howard
White, Patrick (Meath, North)
Wortley, Rt. Hon. C. B. Stuart-
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE NOES—Mr. Samuel Roberts and Mr. George Gibbs.

MR. YOUNGER moved an Amendment to substitute for the first modification the following:—"Where it appears inexpedient to reduce the number of on-licences in any parish or area below two." He said the schedule at present provided that where there were three licences it would be possible under the scale to reduce the number to one. It seemed unreasonable to suggest that competition should be entirely removed in a matter of this kind, and, therefore, the Amendment was proposed in order to meet what he believed was an oversight on the part of those who drafted the Bill.

Amendment proposed—

"In page 24, to leave out lines 18 and 19, and to insert the words 'Where it appears inexpedient to reduce the number of on-licences in any parish or area below two.'" —(*Mr. Younger.*)

Question proposed, "That the words down to the word "on-licences" in line 18 stand part of the schedule."

SIR S. EVANS said he had no objection at all to the object of the Amendment, but he thought the same object would be arrived at and in a rather better way by adopting the Amendment in the name of the hon. Member for Kingston. If it would meet the wish of the hon. Member for the Ayr Burghs, he would be quite prepared, on behalf of the Government, to accept the Amendment of the hon. Member for Kingston.

MR. YOUNGER thought that was probably the better course. He asked leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 24, lines 18 and 19, to leave out the words 'number of on-licences in any such parish or area does not exceed,' and to insert the words 'strict application of the scale would reduce the number of on-licences below.'" —(*Mr. Cave.*)

Amendment agreed to.

*MR. CAVE moved an Amendment to provide that consideration should be given, before the scale was strictly applied, "to the fact that the premises or any of them are situate near to the boundary of an adjoining parish or area in which the number of on-licences is below the scale number." He said that in parish A the number of licensed houses might exceed the number allowed by the scale, while in parish B adjoining the number was far below the scale. It might be that the greater portion of the inhabitants of parish B made use of licensed houses in parish A, and if the scale was strictly applied the effect would be that they must cut off the public-houses serving parish B only because they were situate over the boundary of parish A. He did not think that was a commonsense way of dealing with the matter. Some discretion ought to be given to the local bench, and therefore this Amendment ought to be accepted. It would meet the boundary difficulty.

Amendment proposed—

"In page 24, line 22, after the word 'area,' to insert the words 'or to the fact that the premises or any of them are situate near to the boundary of an adjoining parish or area in which the number of on-licences is below the scale number.' "—(*Mr. Cave.*)

Question proposed, "That those words be there inserted."

SIR S. EVANS thought the question ought to be dealt with as one of population, and, therefore, if a modification was to be made, it ought to be in Paragraph 3 and not in Paragraph 2. It was not the mere fact that there was a boundary on one side of which there might be more, and on the other side less public-houses than were required by the scale that would justify the justices in not giving a strict application to the scale as incorporated in the schedule. He saw the difficulty which the hon. Member had in view, and he thought the best way of dealing with it was when they came to the last line of Paragraph 3 to insert the words "or from the adjoining area," the meaning of which would be that a third modification could be made by the justices where they found that area A was resorted to by the population from area B.

MR. AKERS-DOUGLAS said he was glad that the Solicitor-General had agreed to accept the principle of the Amendment. He knew actual cases where the population living on one side of the road were in a different parish from those living on the other side. In such cases it would be a great hardship if something in the nature of what his hon. friend had suggested were not accepted.

MR. CAVE thought the substance of his Amendment would be attained by adopting that of the Solicitor-General. He asked leave to withdraw his Amendment.

Amendment, by leave, withdrawn.

MR. GRETTON moved as an Amendment to insert after "area" in Paragraph 2 of the Schedule the words "or owing to the defects of roads or facilities of transit special treatment is required." This Amendment, he said, applied to the second modification in the schedule, and gave a greater latitude to the justices when they were applying the modification to the strict scale in the first part of the Schedule. This exception applied to hotels and refreshment rooms, where the licence was not the main purpose of the house but only auxiliary to it. It might be that a licensed house was on the main road, where there was a large traffic, and the modification proposed in the Schedule provided for such a case. But there was another case where the strict application of the scale would be a distinct hardship. There were large districts where the number of inhabitants was very small, and the means of communication were not well developed, where the roads were merely foot-ways or bridle-paths. If in such places there should not be a sufficient number of houses to meet the wants of the travelling public, discretion should be left to the justices to provide such houses. He begged to move.

Amendment proposed—

"In page 24, line 22, after the word 'area,' to insert the words 'or owing to the defects of roads, or facilities of transit, special treatment is required.' "—(*Mr. Gretton.*)

Question proposed, "That those words be there inserted."

SIR S. EVANS said he was sorry the Government could not accept the Amendment. If the hon. Member meant that the house was among defective roads, then there could be no demand for it, and therefore that licence ought to go.

MR. GRETTON said that his purpose was that in districts where the number of licensed houses was small and the means of getting to them was only by long roundabout roads, the wants of the travelling public should be met.

Amendment negatived.

*MR. GRETTON moved to leave out the word "population," and to insert the words "number of persons." He said it was not quite clear as to what was the legal interpretation of "population." One interpretation of the word was the resident inhabitants of a town or district and not the moving population, which varied from day to day, as in the case of agricultural shows, country fairs, market days, and race meetings. This verbal alteration which he proposed would make it quite clear that the Government intended to meet the convenience of persons visiting different parts of the country for a short time, and would include such cases as a Territorial camp and the application for a canteen where the civilians and visitors would be allowed to obtain refreshment.

Amendment proposed—

"In page 24, line 28, to leave out the word 'population,' and to insert the words 'number of persons.'"—(*Mr. Gretton.*)

Question proposed, "That the word 'population' stand part of the Schedule."

SIR S. EVANS congratulated the hon. Member on his philological research as to the meaning of the word "population." He had no objection to accept the hon. Gentleman's Amendment.

Amendment agreed to,

MR. CAVE said he understood from what had been said that his next Amendment would be accepted. It was to insert after the word "required," the words "by reason of a substantial increase of population since the Census or." He was glad to find an accommodating spirit on the part of the Government, although it had come a little late in the day. If the same spirit had been shown earlier, on much more important clauses, the shape of the Bill would have been very different from what it was and very much better.

Amendment proposed—

"In page 24, line 29, after the word 'required,' to insert the words 'by reason of a substantial increase of population since the Census or.'"—(*Mr. Cave.*)

Question proposed, "That those words be there inserted."

SIR S. EVANS said he had very much pleasure in accepting the Amendment. With regard to the general observation of the hon. and learned Member, he would see that immediately they came to a part of the Bill where reasonable Amendments were moved on the Opposition side, they were at once met by equally reasonable concessions from the Government Bench.

Amendment agreed to.

MR. CAVE moved to insert after the word "day," the words "or from an adjoining parish or area." This Amendment, he said, had been suggested by the Solicitor-General at an earlier stage.

Amendment proposed—

"In page 24, line 31, after the word 'day,' to insert the words 'or from an adjoining parish or area.'"—(*Mr. Cave.*)

Question proposed, "That those words be there inserted."

MR. LEIF JONES was inclined to think that the Government had been too yielding, and he was sorry that the Government had accepted the Amendment, which seemed to suggest that it was desirable to have a public-house on the borders of one parish to which the inhabitants of another parish might resort. Assuming that a public-house was necessary, it should be left to the justices to be considered under the words "or for any other reason."

SIR. S. EVANS thought his hon. friend might rest satisfied that the words were sufficiently covered by the latter words in the clause. As he had promised to accept the words of the hon. and learned Member opposite he could not oppose the Amendment.

Amendment agreed to.

Mr. YOUNGER said he was not at all certain what would be the full meaning of the words "or for any other reason," at the end of the subsection. He, therefore, moved the addition of the words "or where in an urban area, owing to the nature of the district and the proportion of the resident population making use of licensed houses, a modification of the strict application of the scale appears requisite to prevent the reduction leading to overcrowding in the remaining houses." It must be obvious to the Committee that the Schedule scale, which might apply perfectly reasonably to the West End of London, would be extremely arbitrary and very unequal in its effect if applied to the East End. Taking 1,000 people in the West End of London, very few of them might use public-houses, whereas in the East End nearly all of them would do so. If the Government strictly applied the scale, they would undoubtedly, by reducing the licences in a locality by too large a number, create overcrowding in the remaining houses. Some provision ought to be made by which a strict application of the scale ought not to be held to be necessary. This was a case in which, if in the opinion of the local justices the scale should be more than that provided by the Schedule, there should be some liberty of proposing modifications. He begged to move.

Amendment proposed—

"In page 24, line 31, at the end to add the words 'where in an urban area owing to the nature of the district and the proportion of the resident population making use of licensed houses a modification of the strict application of the scale appears requisite to prevent the reduction leading to overcrowding in the remaining houses.' "—(*Mr. Younger.*)

Question proposed, "That those words be there added."

Sir S. EVANS said the acceptance of the Amendment would introduce a very considerable change in the principle underlying the Bill, and upon which they relied. They had set up the principle that the number of houses should be according to the acreage and the population, and they could not accept an Amendment which would allow the justices to say that they would not apply the principle or the scale which they put into their Act of Parliament, because they thought if they shut up public-house A they would overcrowd public-house B. If there was overcrowding in public-house B the justices could be applied to to deal with the case as it ought to be met, by enlargement of the premises, but a provision in the Bill ought not to have the effect of enabling the justices to put aside entirely a Schedule which the Government thought ought to be inserted.

Mr. YOUNGER said the Solicitor-General seemed to assume that it was possible in all these cases to increase the size of the public-houses. That could not be done in many cases.

Sir S. EVANS said the Government had, rightly or wrongly, specified in the Schedule the number of public-houses which ought to exist. The justices could, in particular cases, allow the house to be enlarged so as to have greater accommodation than it had before.

Mr. YOUNGER said that was not his point, but that, although the licence-holder might be at liberty to apply to the justices for increased accommodation and the justices might be prepared to give him it, yet it might not be possible to get it. The licence-holder might not hold or be able to get the property adjoining.

Sir S. EVANS said they did not think there would be overcrowding, but in any case they could not allow the justices to say that, because to apply the Schedule would be to overcrowd one public-house or another, they would not carry it out.

Question put.

The Committee divided:—Ayes, 81; Noes, 222. (Division List No. 353.)

AYES.

Acland-Hood, Rt Hn. Sir Alex. F.
Arkwright, John Stanhope
Ashley, W. W.
Baldwin, Stanley
Banbury, Sir Frederick George
Banner, John S. Harmood-
Barnard, E. B.
Barrie, H. T. (Londonderry,N.
Bignold, Sir Arthur

Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Carlile, E. Hildred
Cave, George
Cecil,Lord R. (Marylebone, E.)
Clive, Percy Archer
Cochrane, Hon. Thos. H. A. E.
Collings,Rt.Hn.J. (Birmingh'm
Craig,Captain James(Down, E.)
Cross, Alexander
Douglas, Hon. A. Akers-
Du Cros, Arthur Philip
Duncan,Robert (Lanark,Govan
Faber, Capt.W. V.(Hants, W.)
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Goulding, Edward Alfred
Gretton, John
Guinness,W. E. (Bury S.Edm.)
Hamilton, Marquess of
Harrison-Broadley, H. B.
Heaton, John Henniker
Hill, Sir Clement
Hills, J. W.
Hogan, Michael
Hope,James Fitzalan(Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Joynson-Hicks, William
Kimber, Sir Henry
King,Sir Henry Seymour(Hull)
Law, Andrew Bonar (Dulwich)
Lea,Hugh Cecil(St.Pancras, E.
Lockwood,Rt.Hn.Lt.-Col.A. R.
Long,Rt.Hn. Walter(Dublin,S)
Lonsdale, John Brownlee
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
M'Arthur, Charles
Middlemore,John Throgmorton
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson,Wm. G. (Petersfield)
Nield, Herbert
Oddy, John James
Pease,Herbert Pike(Darlington
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Rawlinson,John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Renwick, George
Roberts, S. (Sheffield, Ecclesall
Ronaldshay, Earl of
Ropner, Colonel Sir Robert
Rutherford, John (Lancashire)
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Starkey, John R.
Talbot, Lord E. (Chichester)
Thomson,W.Mitchell- (Lanark)
Thornton, Percy M.
Valentia, Viscount
Walrond, Hon. Lionel
Wortley,Rt. Hon. C.B. Stuart-
Wyndham, Rt. Hon. George
Young, Samuel

TELLERS FOR THE AYES—Mr. Younger and Mr. George Faber.

NOES.

Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Allen, A. Acland (Christchurch
Allen, Charles P. (Stroud)
Ashton, Thomas Gair
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker,Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn,Sir J.Williams(Devonp'rt
Berridge, T. H. D.
Bethell,Sir J.H.(Essex,Romf'rd
Black, Arthur W.
Boulton, A. C. F.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Brodie, H. C.
Brunner,J.F.L. (Lancs., Leigh)
Bryce, J. Annan
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cameron, Robert
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cherry, Rt. Hon. R. R.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Compton-Rickett, Sir J.
Corbett,C H (Sussex,E.Grinstd
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cowan, W. H.
Crooks, William
Davies,David (Montgomery Co
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Dewar, Arthur (Edinburgh, S.)
Dickinson,W.H.(St.Pancras,N.
Dobson, Thomas W.
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Edwards, Sir Francis (Radnor)
Essex, R. W.
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferguson, R. C. Munro
Findlay, Alexander
Foster, Rt. Hon. Sir Walter
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Gladstone,RtHn. Herbert John
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Grant, Corrie
Greenwood, G. (Pererborough)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Gulland, John W.
Haldane, Rt. Hon. Richard B.
Harcourt,RtHn.L. (Rossendale
Harcourt,Robert V. (Montrose
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harvey,W.E. (Derbyshire,N.E.
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hazel, Dr. A. E.
Helme, Norval Watson
Henderson, Arthur (Durham)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Holland, Sir William Henry
Hooper, A. G.
Hope,W. Bateman (Somerset,N
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Illingworth, Percy H.
Jackson, R. S.
Jacoby, Sir James Alfred
Jardine, Sir J.
Jones Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamont, Norman
Layland-Barratt, Sir Francis
Lehmann, R. C.
Lever,A.Levy (Essex,Harwich)
Lever, W. H. (Cheshire,Wirral)
Lewis, John Herbert
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Macdonald, J. R. (Leicester)
Macdonald,J.M.(Falkirk B'ghs
Maclean, Donald
M'Callum, John M.
M'Crae, Sir George

M'Laren, H. D. (Stafford, W.)
Maddison, Frederick
Marks,G.Croydon (Launceston
Massie, J.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Montague, Hon. E. S.
Morgan, J. Lloyd (Carmarthen)
Morse, L. L.
Murray, James (Aberdeen, E.)
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Newnes, Sir George (Swansea)
Nicholls, George
Nicholson,CharlesN.(Doncast'r
Norman, Sir Henry
Norton, Capt. Cecil William
Nuttall, Harry
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse
Philipps, Owen C. (Pembroke
Pickersgill, Edward Hare
Ponsonby, Arthur A. W. H.
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rees, J. D.
Richards,T. F. (Wolverh'mpt'n
Richardson, A.
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Robertson,SirG.Scott(Bradf'rd
Robinson, S.
Roch, Walter F. (Pembroke)
Rowlands, J.
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel,Herbert L. (Cleveland)
Schwann, C. Duncan (Hyde)
Schwann,Sir C.E. (Manchester)
Scott,A.H (Ashton-under-Lyne
Sears, J. E.
Shakleton, David James
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Sutherland, J. E.
Thomas, Abel (Carmarthen, E.)
Thomas,Sir A. (Glamorgan, E.)
Thorne,G.R. (Wolverhampton)
Thorne, William (West Ham)
Tomkinson, James
Ure, Alexander
Verney, F. W.
Vivian, Henry
Walsh, Stephen
Walton, Joseph
Ward, John(Stoke-upon-Trent)
Wason,Rt Hn.E.(Clackmannan
Wason,John Cathcart (Orkney)
Watt, Henry A.
White, Sir George (Norfolk)
White,J.Dundas (Dumbart'nsh
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker,RtHn.Sir ThomasP
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters
Wilson, Henry J. (York, W.R.)
Wilson, J. H. (Middlesbrough)
Wilson, W. T. (Westhoughton)
Winfrey, R.

TELLERS FOR THE NOES—Mr. Joseph Pease and Master of Elibank.

Question proposed, "That the Schedule, as amended, be the first Schedule to the Bill."

*MR. GRETTON called attention to the fact that, in spite of the Amendments which the Government had made to the Schedule, they had been very careful to adhere to its principle. He wished to point out, therefore, that in spite of amendment, they had not obtained any concession which in any degree modified the scale which the Government put in their Schedule, with all the hardships which the application of the scale would entail. Before the Schedule was added to the Bill, therefore, he wished to put very clearly before the mind of the Committee that both sides of the House were divided still as to the expediency of having a scale at all, but they were precluded from discussing the principle and they on that side were as much opposed to the scale even with the Amendments as they were at the commencement of the debate.

MR. JAMES HOPE said the Under-Secretary had stated at an earlier period that he had answered the questions he had put. He had asked two questions. The first was, how many houses would be reduced under this scheme, supposing there were no modifications? The second was as to the basis on which the Government calculated that the scheme could be put into effect without raising the compensation levy above the amounts stated in the Schedule. He knew the right hon. Gentleman could not answer those questions now, but he would ask him to look into the matter, and give the information asked for on Report. The matter of compensation levy had been left very obscure.

*MR. HERBERT SAMUEL said that he had already dealt with the first question as far as he could. With regard to the second question the Prime Minister had stated when introducing the Bill that the estimates of the Government showed that the Bill as it stood might be roughly calculated to result in the reduction during the fourteen years of rather more than 30,000 licences. Taking that as the figure they had come to the conclusion that the compensation would come well within the amount of the levy.

MR. G. D. FABER said that even with the modifications this was a cast-iron schedule. Neither Government nor anybody else in the country at the present moment knew how the reduction would work out. The Prime Minister had said that he calculated there would be a reduction of from 30,000 to 32,000 licences during the reduction period, but that after all was only a rough approximation. Up and down the country it had been assumed that during the reduction period about 33 per cent. of the total licences in the country would disappear. It had been made pretty clear in the course of the debate that that would be by no means the extent of the reduction when they applied the reduction in the small areas initiated by the Bill. At the end of the reduction period they might find that not 30,000 to 32,000 licences, but 40,000, or even 50,000 licences had disappeared. They were working entirely in the dark, and he did not think the Government had behaved fairly in the matter. It would have been perfectly easy for them when introducing a Bill of such scope and character to have worked out beforehand, area by area, the number of licences there would be in the country. The Committee would then have had before it, mathematically, the number of licences that would be reduced. But they now had nothing of the kind, and upon this the last evening of the Committee Stage they were left with the pregnant evil that the first quantity of the Bill was absolutely unknown. The scheme of the Government depended upon the fact that a certain number of licensed houses had to be reduced. The whole matter proceeded on the hypothesis that the number reduced would be 30,000. That hypothesis now turned out to be unfounded. The effect the great increase in the number of houses reduced would have on the compensation levy must be extraordinary. The whole levy might have to be doubled, and the effect on the trade would be tremendous. The position of the trade, in fact, would be infinitely worse than that suggested in the Bill.

MR. YOUNGER considered that there was no excuse whatever for the failure of the Government to provide the information which had been asked for. When the Committee left off considering the schedule they would be in as great a condition of ignorance as they were when it came before them. The country and the trade were entitled to have the information which had been asked for. It was an extremely unbusinesslike thing that on such an important matter as this, involving in many cases something next door to ruin, the Government had not taken the trouble to meet the very strong and frequent appeals that had been made to them for some definite information. He was one of those who had always believed the Prime Minister had no ground on which he could say with any degree of accuracy that one-third of the licences would go. The Government had not taken the Bill very seriously of late, and he was not surprised that they had not taken the trouble to get the information demanded. That was the only excuse the Government might have for their failure to do anything in this matter.

SIR S. EVANS said it had been remarked that the trade did not know how they would stand at the end of fourteen years. He thought the trade knew pretty well how they would stand, and having regard to the state of the market at the present time, he thought the trade were not very apprehensive of the ruin which had always been predicted for them by their supporters in the House. The Government thought there would be a reasonable, gradual, and uniform reduction of licences during the fourteen years, with reasonable compensation for those whose licences were taken away. The trade also knew there would be seven years given in which there would be no monopoly and no statutory reduction, and when that concession was made by the Prime Minister the trade fully appreciated it. Moreover, as the Government had provided in the Bill, another effect of the concession would be that there would be an additional three years added by way of compensation for every house taken away during the last years of the fourteen years period. Moreover, the trade knew that after twenty-one years had elapsed the monopoly value extracted from them would be on a fair a equitable basis. That was obvious to everybody, and it was the opinion of the hon. Member for Ayr Burghs.

*Mr. YOUNGER: I beg the hon. and learned Gentleman's pardon; I must contradict him as to that. What I said was that the method of computing the monopoly value was not the method of the Act of 1904, which only dealt with new licences and that it afforded some reasonable chance of finding it out in the case of existing licences without including goodwill and so forth, which everybody is agreed on both sides ought not to be included at all.

Sir S. EVANS said he remembered perfectly well the substance and tone of the hon. Gentleman's observations after the Prime Minister made his statement as to the basis of monopoly value calculated for twenty-one years. But he did not wish to pin the hon. Gentleman to anything except what he actually said on that occasion. The trade knew perfectly well what the position would be, and it would not be an unfair position to them. The hon. Member for York and the hon. Member who had just sat down had objected that the Government were not treating the Bill seriously. That was an extraordinary statement to make. Here they had been day after day, week after week, and month after month, dealing with this very thorny, complicated, and most important subject, and surely it was an extraordinary thing at this stage to suggest that the Government, who had given all this time and trouble to the measure, did not regard it with seriousness. They did regard it with the utmost seriousness, and the only reason why they could not put the figures before the House as to the exact effect of the reductions was that it was impossible for anyone to say with exactness what the number of reductions would be or what would be the amount of the levy. First of all, they must know the number of houses to be taken away, the character of the houses taken away, and the amount of compensation to be given for the licences extinguished. Under the circumstances the best they could do was to make an estimate. The Committee knew perfectly well that the Government in producing this Bill had been as well and as accurately advised as they could be, and the conclusion which they had come to, unless something extraordinary transpired in the operation of the measure as regarded the number of licences extinguished and the amount of compensation paid, was that the compensation levy during the fourteen years would not be exceeded at all. When they came to the Compensation Schedule they would be able to discuss that point. The rate levied was precisely what it was under the Act of 1904, with this difference, of course, that there was the possibility in certain cases not merely of the statutory reduction but what was called the optional reduction—a further reduction for which, if circumstances made it necessary, it would be required that they should increase the levy. But as he had said before he said now, that according to the best advice they could get, practically there was no expectation whatsoever on the part of anybody that there would be any addition to the levy put in the Schedule, and that in truth and in fact, although it did not literally appear in the Bill, the levy would be the maximum levy and not the minimum levy.

Mr. WALTER LONG said the hon. Gentleman had told them what the trade thought and felt with regard to this Bill. He was not competent or entitled to represent the trade. All he knew was that he had read during the passage of the Bill a great many criticisms of it and a great many prophecies as to its ultimate fate, none of which, he was bound to say, agreed with the description given by the Solicitor-General. The hon. and learned Gentleman spoke of the expectation of the trade, and claimed, to start with, that the proof of the soundness of his view was to be found in the fact that brewery shares had not suffered, and that this was because the trade were satisfied with the Government. The hon. and learned Gentleman took an extraordinary view of the situation. Though knowing nothing about the trade, and not entitled to speak for it, yet he ventured to say that the reason given by the Solicitor-General was not the reason why brewery shares had shown that they were not affected.

The real reason was very different. He suspected that the members of the trade were saying to themselves what a great many Members on the other side of the House would say in a short time, "Thank God there is a House of Lords." This would be said very shortly by many of those hon. Gentlemen whom the hon. Member for Appleby claimed were enthusiastic supporters of the Bill. The reason why these securities had not suffered was because—and he gave credit to the hon. and learned Gentleman for knowing it—there was no belief that the Bill in anything like its present form was going to pass, and consequently those who were mainly interested were not contemplating an exercise against them of the powers which this Bill contained. ["Oh!"] The hon. Member for Appleby said "Oh!"

MR. LEIF JONES: I said "Order, order."

MR. WALTER LONG: If I had known that I would not have given way.

MR. LEIF JONES: I wish to know, Sir, if the right hon. Gentleman is in order in discussing the Bill generally on this Motion?

THE DEPUTY-CHAIRMAN: The right hon. Gentleman cannot discuss the Bill generally, but he may make references.

MR. WALTER LONG said he must protest against the action of the hon. Member for Appleby, who addressed the Committee repeatedly, who made many statements which he was unable to prove, and who, when his own Government advanced arguments, endeavoured to prevent the Opposition from meeting them. That was an unusual method to adopt in that House, and he hoped that not many Members would be found to follow the hon. Gentleman's example. He believed that there was no foundation for the view attributed to the trade by the Solicitor-General. In the first place, he believed that the method that the Government were adopting, as instanced by the Schedule, was an unfair one. In the second place the question asked by the hon. Member for York had never been answered by any member of the Government, including the Solicitor-General, who was one of the most ingenious, and most able advocates that any Government could have. What had the hon. and learned Gentleman to say in answer to his hon. friend the Member for York, who had complained that they were passing this Schedule completely in the dark? They had no knowledge whether the number reduced would be 30,000 or 50,000. What was the answer of the Solicitor-General? He said that he had dealt with the point frequently before, and that it was impossible for the Government to give any reliable information. If the hon. and learned Gentleman wished them to understand that it was impossible to obtain any reliable information, then what was the estimate of the Government based upon? By the hon. and learned Gentleman's own admission the estimate was pure guess work and worth nothing at all. The calculation of his hon. friend was at least worth as much as that of the Government, which the Solicitor-General admitted was based on no figures at all. The figures which he himself had seen were not based on guess work; they were based on the Bill as it would be worked out over certain areas of the country, and those figures made the number of reductions very much larger than the figures quoted by the Prime Minister and the Solicitor-General. He believed that the figures which he had seen were much nearer the truth. The Solicitor-General said that it was impossible to get the figures. Why? Because they had to ascertain certain things. First of all, they had to ascertain the character of the house; secondly, the neighbourhood; and thirdly, the amount of compensation to which the house was entitled. He submitted that there were scores of different cases all over the country which could be taken, and anyone who took eight or ten districts might make the calculation, and put the result in the form of a return which could have been presented to Parliament. If that had been done, at all events they would have had some reliable information. If his hon. friend pressed his opposition to this Schedule to a division, he should certainly vote with him. At present, the Government had failed to justify their position by argument, and they had failed to do what they could easily have done, namely, provide information which at all events would have let them know in some degree what the effect of the Bill would be. They had only themselves to thank if the Opposition not only resisted their proposal, but complained of the method by which they sought to foist this measure on an uninformed House and an uninformed country.

*MR. BARNARD said he had understood the situation, for his part, to be of a very pleasant description, for he had thought that it was going to be very much worse, and when the definition of monopoly value came he was still more pleased. With regard to this Schedule, however, he was most discontented. It seemed to him that they had a right to remember the figures which were quoted by the Prime Minister when he told them that the houses were to be reduced from 90,000 to 60,000. Since then he had repeatedly asked questions in order to get at something to show how this matter was dealt with. He had been most unlucky in his inquiries, and had found out nothing. Yet the Solicitor-General told them that they need not be a bit afraid of the levy, because he was sure that it would never be exceeded. How could he know that if he could not get those figures which had been refused to him? Not being able to get the figures from the Government he had tried to make some investigations himself. In about thirty-five different areas he found that the results worked out most extraordinarily different compared with what was stated by the Prime Minister in his speech. The Prime Minister had stated that the number would be reduced from 90,000 to 60,000. He could not help thinking that the right hon. Gentleman had not taken into account the areas where there were licences which did not reach the maximum, and he was perfectly certain that if they went all over the country making inquiries, they would find that in all places in the country except those on the borders of London, which were populous, the figures would show results in no sense comparable with those stated by the Prime Minister. In Kidderminster the number of houses would be reduced from 130 to fifty. In the village in which he lived, if this Schedule stood, the number would be reduced from eighteen to four. He was a magistrate in two different counties, and in many other places he found that the figures of reduction were much in excess of those quoted by the Prime Minister. He thought that the Government might even yet before the Bill was finished try to give them some information which would enable them to check the figures.

MR. JAMES HOPE said he had failed to get satisfaction out of the Under-Secretary, and he appealed to his chief, the Home Secretary. The question was a simple one. He had asked what would be the effect of the reduction in the First Schedule if there were no modifications, and he thought that was capable of a direct answer. What were the data on which they would have to go? He would quote a few words of the first clause—

"'Licensing justices shall, in accordance with this Act, reduce the number of on-licences in their district so that at the end of a period of fourteen years from the fifth day of April nineteen hundred and nine the number of those licences in any rural parish or urban area in their district shall not exceed the scale set out in the First Schedule to this Act as applied to that parish or area under the provisions of that Schedule.'"

Surely it would be possible to ascertain in the first place the population of every rural parish, and in the second of every urban area, and it was only a matter of clerical work to find out the effect of the First Schedule on that basis of population. He would ask the Home Secretary to see that that was done before the House passed the Bill.

SIR F. BANBURY said he always felt very loth to enter into any discussion upon legal points with the Solicitor-General, but when the hon. and learned Gentleman made statements about finance, he felt that, though perhaps not equal to him in ability or as an orator, he had some claim to say something upon that subject. All brewery companies were not quoted on the Stock Exchange and all breweries were not companies. In the case of many small brewery companies, banks had called in loans which they had made. If the hon. and learned Gentleman had devoted his talents to brewing instead of to the law would he have said that this Bill had no effect upon his company if he had had a loan of £20,000 from a bank called in when the Bill was introduced, and he had been unable to borrow money anywhere else? Whatever he said he would have felt that a very serious hardship had been inflicted on him. About March or April there was an enormous fall in the value of brewery shares. The right hon. Gentleman the Member for Spen Valley said it arose not from the introduction of the Bill but from the fact that there had been reckless finance. The fall was very much greater than was generally supposed. It was impossible to sell a brewery share. The quotation was absolutely nominal. There had been a change, but though prices now were better than the lowest for the year, they were nothing like what they were a year ago. They were recovering because true business people did not suppose that the House of Lords was going to allow a Bill of this sort to be smuggled through the Legislature under the closure—a Bill which would not achieve its object and which was unjust to everybody whom it attacked. He did not claim for himself any great power of speech, but he claimed honesty of purpose. The late Sir William Harcourt had said that the House of Commons was a House of discussion, and he hoped those old traditions would be maintained, and that it would continue to be a House of discussion long after this bad Government had passed away. The hon. Member for Sheffield, notwithstanding the warning he had given him a short time ago, had repeated his request to the Chief of the Under-Secretary to give him the figures which the Government had in their secret dossier—somewhere in a little red box which possibly for the occasion had been given to the stranger below the gallery.

THE DEPUTY-CHAIRMAN said these general observations could not be made on every Amendment.

SIR F. BANBURY said, in order to save time, he was going to point out to his hon. friend that he had better not pursue his request to produce the figures.

MR. JAMES HOPE: I am sure my hon. friend misjudges the right hon. Gentleman. I fully expect at the conclusion of my hon. friend's speech he will promise me the information.

SIR F. BANBURY said he should be exceedingly surprised if he did. The Schedule would inflict very great hardship upon the rural districts. If he had his way he would have no Schedule at all, and that was why he was going to vote for its omission. In the large towns there could be no question that people who wanted to avail themselves of the public-house would be able to do so though at a considerably increased amount of inconvenience. But he did not believe the unfortunate rural labourer would be able to get his glass of beer. He did not think this was a question of intoxication, because rural labourers were, as a class, most sober, but it was this class that the Schedule was going to attack in the greatest degree. In outlying hill and moorland districts the population was extremely sparse, and if they allotted only one house to 400 people a very large number would have to travel a considerable distance before they could get a glass of beer. The Government admitted that there would be an evil which must be met by their modifications, and they specially drew attention to scattered areas where the houses did not at present exceed two, and where it was not desirable to reduce that number. His complaint with the Schedule was that that order ought to have been made mandatory instead of giving the option to the local justices to carry it out. He did not go so far as to say he should have voted for the Schedule if that Amendment had been made, but it would have been a very great improvement to the Bill. As it stood now the smaller areas would suffer, and their only possible hope was the discretion of the licensing justices. That discretion was tempered, because it was subject to the paid trio who would sit in London. Under these circumstances, and believing that a very great blow was going to be struck at an industry which after all had invested its money under the sanction of Acts of Parliament, and holding at the same time the view that the Schedule would not in any way promote temperance, he should have much pleasure in supporting his hon. friends.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. HERBERT GLADSTONE, Leeds, W.) said he only rose out of courtesy to the hon. Member for Sheffield. He was sure he could not have been in the House when he answered the question of the hon. Member for Kidderminster. He felt convinced that his answer was quite consistent with what his right hon. friend stated a short time ago.

MR. REMNANT (Finsbury, Holborn) asked the Solicitor-General whether his attention had been drawn particularly to the case of a great city like London. The Government admitted that they had made no estimate at all. It was a rough and ready reckoning that a third of the licences taken away in fourteen years would bring them down to what they thought a fair number. Unsatisfactory as that course was, they had had to introduce modifications to deal with a case such as London, which had a small resident population compared with the number of people in the City during the day time. He, as representing a London constituency, most strongly objected to the scheme of the Government which, practically, was a leap in the dark. They did not know what was going to be the consequence. The justices would be bound down to this Schedule which would inflict very great hardship on the City of London, and would not help forward the cause of temperance which they so loudly acclaimed as being the sole object of the Bill. They were left in the dark, and all he could do was to form an estimate based on the experience of many years. The scheme of the Government would do what hon. Members opposite little expected—it would not help the cause of temperance, and besides inflicting a great injustice on the licence-holders, it would be a very great inconvenience to those who used the City during the day and did not live there during the night. The effect of the Bill would be to increase very largely the reduction during the reduction period and would throw an enormous incubus upon the remaining licence-holders, inflicting a burden which very few of them would be able to bear. The Solicitor-General had referred to the market-value of brewery companies' shares, and upon that he had made a very interesting statement. It was rather remarkable that when the Government were dealing with licences they refused to consider the market value, but when they wanted to consider the effect of their proposals on the trade they were prepared to pay attention to the market value. He did not believe anybody would raise any objection if the Government paid compensation based on the market-value. If they paid the market-value they might take the whole lot of the licences, and that was what they ought to do if they really meant temperance. Under this scheme they did neither one thing nor the other. What they were doing would ruin licence-holders, and not promote temperance at all. He hoped the Solicitor-General would tell them what he meant by the period during which no compensation levy would be paid. The hon. and learned Gentleman also said that the compensation levy proposed by the Bill was practically the same as that paid under the Act of 1904, but it was nothing of the sort. Under the Act of 1904 the levy could not go beyond the maximum, whilst under this Bill it could. Under the Act of 1904 if the local authorities did not require the whole amount they did not raise it, but under this Bill they were obliged to raise the maximum. He entered his protest against this Schedule and the way they were being treated. He was very glad indeed that they had a Second Chamber to prevent the passing of hasty and ill-considered measures such as that they were now discussing.

MR. ASHLEY said the right hon. Gentleman the Member for the Bordesley division had made an eloquent appeal to the Committee to consider the hardships which would be inflicted upon the agricultural labourers if this Bill became law. He did not think the Committee had realised the very few amusements which were open to the ordinary agricultural labourers who had to work very hard and get up very early. If the Committee adopted this Schedule those men would be compelled after a hard day's work to walk two or three miles to obtain their only amusement in the public-house where they could see their friends, smoke their pipes, and drink their glass of beer. This proposal would be treating a very deserving class unjustly. In the towns, if they reduced the number of licences, it was open to the people to establish a club anywhere, but it was not open to the agricultural labourers to start clubs because they had not the money. If this Bill passed they would compel the agricultural labourer to give up one of his few pleasures, and an innocent pleasure, and he would only be able to meet his friends once or twice a week instead of every evening as hitherto. The Solicitor-General had stated that the Bill had done no damage to the value of licensed property or the property of brewery companies. Only that morning he had received a letter from a gentleman in a good position pointing out how he and his relations would personally be adversely affected by the operation of this schedule. It appeared that some two years ago he invested £10,000 of trust money on the security of licensed premises in the City of London, and the value of those premises was given as £21,000. At the present moment his friend was calling in that loan, and he had been advised that it was very doubtful whether he would get his £10,000 at all.

MR. T. F. RICHARDS (Wolverhampton, W.) said that a little practical experience in this matter was better than a good deal of theory. He had found during the debates that those who knew least about the trade had spoken the most. He held a very different view of this question from that which had been expressed during the evening. He had experience of a town which he represented on the borough council, where within the area of a quarter of a mile there were no less than eighteen licensed houses, every one of them tied. He had been employed in one of them himself, and when his governor found the house was bought over his head he gave up the licence and refused to become a tied tenant. Some of his shopmates kept those houses and were paid from 30s. to 35s. a week. Why were those houses being kept open? Simply to obtain the benefit of compensation. In that particular area of a quarter of a mile three licences were given up not long ago merely for the power to extend the licence of a hotel. If licences were so cheap as that it was evident that those houses were being kept open for other purposes than appeared on the surface. Those who were acquainted with the trade knew that no person would take one of those licences with the intention of getting a living, because they were man-traps in every sense of the word. Men had gone into those houses and they had been valued in and valued out. He hardly needed to state that the valuation out was much less than the valuation in. It was a fact that there were many more houses in all the large towns than there appeared to be a legitimate trade for, and he hoped the Solicitor-General would not listen to any suggestion in the direction of altering the Schedule.

Question put.

The Committee divided:—Ayes, 217; Noes, 73. (Division List No. 354.)

AYES.

Agar-Robartes, Hon. T. C. R.
Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Allen, A. Acland (Christchurch
Allen, Charles P. (Stroud)
Ashton, Thomas Gair
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn, Sir J. Williams (Devonp'rt
Berridge, T. H. D.
Bethell, Sir J. H. (Essex, Romf'rd
Black, Arthur W.
Boulton, A. C. F.
Brace, William
Bramsdon, T. A.

Brigg, John
Brodie, H. C.
Brunner, J. F. L. (Lancs., Leigh)
Brunner, Rt Hn Sir J. T (Cheshire
Bryce, J. Annan
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cameron, Robert
Cawley, Sir Frederick
Cherry, Rt. Hon. R. R.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Compton-Rickett, Sir J.
Corbett, C. H (Sussex, E. Grinst'd
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Crooks, William
Davies, David (Montgomery Co.
Davies, Ellis William (Eifion)
Dewar, Arthur (Edinburgh, S.)
Dobson, Thomas W.
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Edwards, Sir Francis (Radnor)
Essex, R. W.
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferguson, R. C. Munro
Findlay, Alexander
Foster, Rt. Hon. Sir Walter
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Gladstone, Rt. Hn. Herbert John
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Grant, Corrie
Greenwood, G. (Peterborough)
Griffith, Ellis J.
Gulland, John W.
Harcourt, Rt Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harvey, W. E. (Derbyshire, N.E.
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hazel, Dr. A. E.
Helme, Norval Watson
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Hogan, Michael
Holland, Sir William Henry
Hooper, A. G.
Hope, W. Bateman (Somerset, N
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Illingworth, Percy H.
Jackson, R. S.
Jacoby, Sir James Alfred
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Kekewich, Sir George
Kelley, George D.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamont, Norman
Layland-Barratt, Sir Francis
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich)
Lever, W. H. (Cheshire, Wirral)
Levy, Sir Maurice
Lewis, John Herbert
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk B'ghs
Maclean, Donald
MacVeagh, Jeremiah (Down, S.)
M'Callum, John M.
M'Crae, Sir George
M'Laren, H. D. (Stafford, W.)
Marks, G. Croydon (Launceston)
Marnham, F. J.
Massie, J.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Morse, L. L.
Murray, James (Aberdeen, E.)
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Newnes, Sir George (Swansea)
Nicholls, George
Nicholson, Charles N. (Doncast'r
Norman, Sir Henry
Norton, Capt. Cecil William
O'Grady, J.
Paulton, James Mellor
Pearce, William (Limehouse)
Perks, Sir Robert William
Pickersgill, Edward Hare
Pollard, Dr.
Price, Sir Robert J. (Norfolk, E.)
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rees, J. D.
Richards, T. F. (Wolverh'mpt'n
Richardson, A.
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Robertson, Sir G. Scott (Bradf'rd
Robinson, S.
Roch, Walter F. (Pembroke)
Rowlands, J.
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann, Sir C. E. (Manchester)
Sears, J. E.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick, B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn. A. Lyulph (Chesh.)
Steadman, W. C.
Stewart-Smith, D. (Kendal)
Sutherland, J. E.
Thomas, Sir A. (Glamorgan, E.)
Thorne, G. R. (Wolverhampton)
Thorne, William (West Ham)
Ure, Alexander
Verney, F. W.
Vivian, Henry
Walsh, Stephen
Walton, Joseph
Wason, John Cathcart (Orkney)
Watt, Henry A.
White, Sir George (Norfolk)
White, J. Dundas (Dumbart'nsh.
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker, Rt Hn. Sir Thomas P.
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters
Wilson, Henry J. (York, W. R.)
Wilson, J. H. (Middlesbrough)
Wilson, W. T. (Westhoughton)
Winfrey, R.

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Arkwright, John Stanhope
Ashley, W. W.
Balcarres, Lord
Baldwin, Stanley
Banbury, Sir Frederick George
Banner, John S. Harmood-
Barnard, E. B.
Barrie, H. T. (Londonderry, N.)
Bertram, Julius
Bignold, Sir Arthur
Bowles, G. Stewart
Bull, Sir William James

Carlile, E. Hildred
Cave, George
Clive, Percy Archer
Cochrane, Hon. Thos. H. A. E.
Collings, Rt. Hn. J. (Birmingh'm
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Duncan, Robert (Lanark, Govan
Faber, George Denison (York)
Faber, Capt. W. V. (Hants, W.)
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest
Goulding, Edward Alfred
Gretton, John
Guinness, Hon. R. (Haggerston)
Guinness, W. E. (Bury S. Edm.
Heaton, John Henniker
Hills, J. W.
Hope, James Fitzalan (Sheffield
Houston, Robert Paterson
Hunt, Rowland
Joynson-Hicks, William
Keswick, William
King, Sir Henry Seymour (Hull)
Law, Andrew Bonar (Dulwich)
Lockwood, Rt. Hn. Lt.-Col. A. R.
Long, Rt. Hn. Walter (Dublin, S)
Lowe, Sir Francis William
M'Arthur, Charles
Middlemore, John Throgmorton
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
Oddy, John James
Pease, Herbert Pike (Darlington
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Renwick, George
Roberts, S. (Sheffield, Ecclesall)
Ropner, Colonel Sir Robert
Rutherford, John (Lancashire)
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Starkey, John R.
Talbot, Lord E. (Chichester)
Thomson, W. Mitchell-(Lanark)
Thornton, Percy M.
Walrond, Hon. Lionel
White, Patrick (Meath, North)
Willoughby de Eresby, Lord
Wortley, Rt. Hon. C. B. Stuart-
Wyndham, Rt. Hon. George
Youngl Samuel
Younger, George

TELLERS FOR THE NOES—Sir Alexander Acland-Hood and Viscount Valentia.

Schedule 2:

MR. GRETTON moved to leave out the word "hotels" in order to elicit information from the Government. This Schedule was taken almost entirely, he believed, from the Act of 1904, and the note at the end of the Schedule making certain exceptions from the full charge of levy for compensation was word for word from the Act of 1904, with the exception of the word "hotels." There was a difficulty in the interpretation of the Act of 1904, and a case came before the Courts. There were many different kinds of hotels, and he wished to know what the Government meant by "hotels," and how they meant to adjust their charges with respect to the different classes of buildings. It was perfectly reasonable and just that a hotel in a country town which lodged travellers should come under this Bill. He was not saying for a moment that it was unreasonable that large modern caravanserais should also come under the scheme. He wished to know how the Government proposed to levy the rate in respect of the different heads of business carried on in some hotels.

Amendment proposed—

"In page 25, line 25, to leave out the word 'hotels.'"—(*Mr. Gretton.*)

Question proposed, "That the word 'hotels' stand part of the Schedule."

SIR S. EVANS said the Schedule and the note at the foot of it made an alteration in the law applicable to hotels, as it had been settled by decisions in the Courts, and that alteration was entirely in favour of hotels. He pointed out that a case came before the Courts in 1907 in which a large hotel had also a bar, valued at more than £25, as part of the premises. The decision of the Court was that the hotel must pay the full levy because the public-house bar could not be exempted. But where there was a hotel without a public-house bar the levy charge would be one-third of that made in ordinary cases. It was an alteration that had been made in favour of the hotels.

MR. GRETTON said the explanation of the hon. and learned Gentleman was adequate to meet the case, and he would ask leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

MR. AGAR-ROBARTES (Cornwall, St. Austell) moved an addition to the Schedule providing that no levy should be charged to a hotel or restaurant where the holder of the licence agreed not to sell and was thereby prevented from selling any intoxicating liquor to any person who (1) was not residing in the hotel; or (2) was not having a meal in the hotel or restaurant. He said he had put down the Amendment for two reasons. In the first place, he wished, if possible, to remove an injustice arising out of the Act of 1904, which would be continued by this Bill, and in the second place he believed his Amendment was certain to promote the cause of temperance reform. The injustice under the Act of 1904 would be remedied in this way. That class of hotel which would avail itself of the provision was the barless hotel. There was a wide difference between a hotel with a bar and one without a bar; the former were many and the latter few; the former catered for the outside customer and the latter entirely for *bona fide* residents. It was the latter class of hotel which would be enabled to benefit by this provision, provided that the licence-holder would agree to carry on only the business indicated. He would give an illustration from the county of Cornwall. In that delectable duchy he knew of two hotels which were barless and which did not sell in the year more than five pounds worth of alcohol to outsiders, and these two hotels had to pay £30 and £10 respectively. That was to say, in fourteen years time they would have paid no less than £760 towards the compensation fund, and what for? Simply and solely for shutting up drinking-shops in which they had no interest and from the abolition of which they themselves could not obtain any advantages. He had also included restaurants, because he was convinced that the more provision they made for setting up the *bona fide* class of house where drink could only be obtained with meals, the more they would advance the cause of temperance reform. He would remind hon. Gentlemen opposite that perhaps when they were going down for luncheon to a rendezvous at the Ritz and when they on his side of the House trudged down for a chop at the "Cheshire Cheese," they would no doubt earn the gratitude of their constituents for having laid down that every hotel or restaurant should have the opportunity of closing its bars, and thus inflict a blow at that constant tippling which had done so much in the past to manufacture the inebriate. He appealed with some confidence to all sections of the Committee to support his Amendment, but he was willing to withdraw it if the Government would give him some assurance that at a later stage they would put in words which would cover his object.

Amendment proposed—

"In page 25, line 32, at the end, to add the words 'No levy shall be charged to a hotel or restaurant where the holder of the licence agrees not to sell and is thereby prevented from selling any intoxicating liquor to any person who: (1) Is not residing in the hotel; or (2) is not having a meal in the hotel or restaurant.'"—(*Mr. Agar-Robartes.*)

Question proposed, "That those words be there added."

SIR S. EVANS said that the Committee welcomed his hon. friend back to the House after his temporary absence. He wished that on this occasion he had been able to make a concession to his hon. friend. The Government had not been unmindful on this very important matter; it had been most carefully considered; but the hon. Member must know that such a provision as he proposed could not be confined entirely to the case of old hotels in the country. It must include anything in the shape of a restaurant or eating house which sold liquor to be consumed with meals. If all these were included, he was afraid that there would be a considerable inroad into the compensation fund. He was not able to make the concession asked for by the hon. Member without inflicting injustice. They had already made it impossible for the justices to levy more than one-third of the compensation levy in respect of such houses as were described in the proposed Amendment. That was a very substantial concession.

MR. AGAR-ROBARTES asked leave to withdraw the Amendment.

SIR F. BANBURY said that before the Amendment was withdrawn he wished to draw attention to the peculiar argument used by the Solicitor-General. The hon. and learned Gentleman first of all said that he would be delighted to meet his hon. friend, and he was under the impression that he was going to accept the Amendment. Then the Solicitor-General said he could not accept the Amendment, and he waited to hear some weighty arguments against its acceptance. But all the argument of the hon. and learned Gentleman was that if they accepted the Amendment they would not obtain the necessary amount of money from these unfortunate licensees to carry out the various objects of the Bill. The hon. and learned Gentleman must have been influenced by the Chancellor of the Exchequer in his search after a hen roost. He hoped that the Home Secretary or the Under-Secretary would advance some argument to show that there was a case against the Amendment. If the thing was right it ought to be carried, whether it brought in more money or not; if it was wrong, it should be negatived.

Amendment, by leave, withdrawn.

*Mr. CAVE asked if the alteration in the heading of the Schedule as compared with the Act of 1904 meant an increase in the amount of levy.

Sir S. EVANS said that the Committee had long ago come to the conclusion by a large majority that it was necessary to allow the levy to be increased for the purpose of reducing excessive licences, and the alteration had been made in order to bring the Schedule into conformity with that decision. As the hon. and learned Member was aware, the annual value for compensation was to be taken under Schedule A of the Income Tax.

*Mr. CAVE: Would it increase the amount of the levy?

Sir S. EVANS said he was not sure, but he did not think so.

Mr. YOUNGER said that surely the hon. and learned Gentleman must know that the change was bound to increase the levy. Under the Act of 1904, the levy was limited; now it was unlimited. No one knew in the least what burden or obligation this Schedule would impose upon the unfortunate licence-holders throughout the country. They on that side of the House had not altered their views on this subject. They thought the levy was too high; and they objected very strongly to its being unlimited.

Question put, "That this be the second Schedule to the Bill."

The Committee divided:—Ayes, 233; Noes, 80. (Division List No. 355.)

AYES.

Abraham, William (Rhondda)
Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Ashton, Thomas Gair
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn, Sir J. Williams (Devonp'rt
Bennett, E. N.
Berridge, T. H. D.
Bethell, Sir J. H. (Essex, Romf'rd
Black, Arthur W.
Boulton, A. C. F.
Brace, William
Bramsdon, T. A.
Brigg, John.
Brodie, H. C
Brunner, J. F. L. (Lancs., Leigh)
Brunner, Rt Hn Sir J. T. (Cheshire
Bryce, J. Annan
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cameron, Robert
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cherry, Rt. Hon. R. R.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Compton-Rickett, Sir J.
Corbett, CH (Sussex, E. Grinst'd
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Crooks, William
Crosfield, A. H.
Davies, David (Montgomery Co.
Davies, Ellis William (Eifion)
Davies, M. Vaughan- (Cardigan
Davies, Timothy (Fulham)
Dewar, Arthur (Edinburgh, S.)
Dobson, Thomas W.
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunne, Major E. Martin (Walsall
Edwards, Sir Francis (Radnor)
Essex, R. W.
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferguson, R. C. Munro
Findlay, Alexander
Foster, Rt. Hon. Sir Walter
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Gladstone, Rt. Hn. Herbert John
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Griffith, Ellis J.
Gulland, John W.
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardy, George A. (Suffolk)
Hart-Davies, T.
Harvey, W. E. (Derbyshire, N.E.
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hazel, Dr. A. E.
Helme, Norval Watson
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.

Henry, Charles S.
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Holland, Sir William Henry
Hooper, A. G.
Hope, W.Bateman(Somerset,N
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Illingworth, Percy H.
Jackson, R. S.
Jacoby, Sir James Alfred
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamont, Norman
Layland-Barratt, Sir Francis
Lehmann, R. C.
Lever, A.Levy (Essex,Harwich
Lever, W. H. (Cheshire, Wirral)
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald,J.M.(Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
M'Callum, John M.
M'Crae, Sir George
M'Laren, H. D. (Stafford, W.)
Marks,G.Croydon (Launceston)
Marnham, F. J.
Massie, J.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Morse, L. L.
Murray, James (Aberdeen, E.)
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Newnes, Sir George (Swansea)
Nicholls, George
Nicholson,CharlesN.(Doncast'r
Norman, Sir Henry
Norton, Capt. Cecil William
Nuttall, Harry
O'Donnell, C. J. (Walworth)
O'Grady, J.
Partington, Oswald
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Perks, Sir Robert William
Pickersgill, Edward Hare
Pollard, Dr.
Price,Sir RobertJ.(Norfolk, E.)
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rees, J. D.
Richards,Thomas(W.Monm'th)
Richards, T.F.(Wolverh'mpt'n)
Richardson, A.
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Roberts, Sir J. H. (Denbighs.)
Robertson,Sir G.Scott(Bradf'd
Robinson, S.
Roch, Walter F. (Pembroke)
Rose, Charles Day
Rowlands, J.
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Scott,A.H.(Ashton-under-Lyne
Sears, J. E.
Seaverns, J. H.
Shackleton, David James
Shaw, Rt. Hn. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley,Hn. A. Lyulph(Chesh.)
Steadman, W. C.
Stewart-Smith, D. (Kendal)
Sutherland, J. E.
Thomas,Abel (Carmarthen, E.)
Thomas,Sir A.(Glamorgan, E.)
Thorne, G.R.(Wolverhampton)
Thorne, William (West Ham)
Ure, Alexander
Verney, F. W.
Vivian, Henry
Walsh, Stephen
Walton, Joseph
Warner, Thomas Courtenay T.
Wason,John Cathcart (Orkney)
Waterlow, D. S.
White, Sir George (Norfolk)
White,J.Dundas (Dumbart'nsh
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker,Rt.Hn.SirThomasP.
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters
Wilson, Henry J. (York, W.R.)
Wilson, J. H. (Middlesbrough)
Wilson, W. T. (Westhoughton)
Winfrey, R.

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood,RtHn.SirAlex.F.
Arkwright, John Stanhope
Ashley, W. W.
Balcarres, Lord
Baldwin, Stanley
Banner, John S. Harmood-
Barnard, E. B.
Barrie, H. T. (Londonderry,N.)
Beach,Hn.Michael Hugh Hicks
Bertram, Julius
Bignold, Sir Arthur
Bowles, G. Stewart
Bull, Sir William James
Carlile, E. Hildred
Clive, Percy Archer
Cochrane, Hon. Thos. H. A. E.
Collings,Rt.Hn.J. (Birmingh'm
Craik, Sir Henry
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Duncan, Robert (Lanark,Govan
Faber, George Denison (York)
Faber, Capt. W. V. (Hants, W.)
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest
Gooch,Henry Cubitt (Peckham
Goulding, Edward Alfred
Gretton, John
Guinness, Hn. R. (Haggerston)
Guinness, W. E. (Bury S.Edm.)
Hamilton, Marquess of
Heaton, John Henniker
Hill, Sir Clement
Hills, J. W.
Hogan, Michael
Hope,James Fitzalan(Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Joynson-Hicks, William
Keswick, William
King,Sir HenrySeymour (Hull)
Law, Andrew Bonar (Dulwich)
Lea,Hugh Cecil(St.Pancras,E.)
Lockwood,Rt.Hn.Lt.-Col.A.R.
Long, Rt.Hn.Walter(Dublin,S)
Lowe, Sir Francis William
M'Arthur, Charles
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm.G.(Petersfield)
Nield, Herbert
Oddy, John James
Pease,HerbertPike(Darlington)
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Rawlinson,John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Renwick, George
Roberts,S. (Sheffield,Ecclesall)

Ropner, Colonel Sir Robert
Rutherford, John (Lancashire)
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Starkey, John R.
Talbot, Lord E. (Chichester)
Thomson, W. Mitchell- (Lanark)
Thornton, Percy M.
Valentia, Viscount
Walrond, Hon. Lionel
White, Patrick (Meath, North)
Willoughby de Eresby, Lord
Wortley, Rt. Hn. C. B. Stuart-
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE NOES—Mr. Cave and Sir Frederick Banbury.

Schedule 3—

*MR. CAVE moved the omission of subsection 2, which provided that except where the rent was the rent payable by the licence-holder: (*a*) The amount deducted from the rent should not in any case exceed one-tenth of the rent; and (*b*) No deduction should be made from the rent where the amount of the rent was less than one-fifth of the annual value of the premises for income-tax purposes under Schedule A. The Committee would know that under the Act of 1904 it was provided that the deduction from the rent should not exceed half of the rent, but that was altered by this Bill. The Schedule made a great difference to many people, and they ought to know why the alteration was made. He would give some figures to show how the change worked in an actual case. There was a public-house let at a ground-rent of £10 a year, with fourteen years to run. The house was sub-let to the occupier for the same term, less one day, for £100 a year, with the building upon the land. The levy under the Act of 1904 would be £20. Under the present system the actual tenant deducted 25 per cent., or £5, and paid £15. The intermediate lessor to whom he paid his rent could deduct the whole £5 from his head-rent, so that he paid nothing. Thus the lessee paid £15 and the owner or brewer £5 a year. Under this Bill the effect of the change was that the £5 a year which the brewer now paid would be paid by the intermediate lessee who had no interest in the licence, because he had sublet the whole of his term and it did not matter to him whether the licence went on or not. Yet this payment was put upon him instead of upon the freeholder, who was interested in the licence going on. He did not see the sense or justice of that or upon what principle the change was made. The intermediate lessee whom he had in mind wrote to the Home Office some time ago to call their attention to the matter, and was told that in the Bill, which was then about to be brought in, attention would be paid to the point, but, so far from that being the case, he was worse off now than under the Act of 1904. The effect was capricious, and he would like to know why this change which seriously affected the pockets of a number of people was going to be made. He begged to move.

Amendment proposed—

"In page 26, line 11, to leave out subsection (2)."—(*Mr. Cave.*)

Question proposed, "That the words proposed to be left out stand part of the Schedule."

SIR S. EVANS said that this was a very complicated question, and one very difficult to deal with by way of argument. He might point out, however, that the scheme of deduction to be found in this Bill was on exactly the same scale as that of the Act of 1904. Under that Act there was a rough and ready method of doing justice to those who only received ground rent, by means of a note at the end of the scale saying that in no case was more than one-half of the rent to be deducted. Many complaints had been made of injustice caused by that rule of thumb; it could not be described as anything else, because there was no application of any principle which had the result of arriving at a rule of that kind. What they had tried to do, and what they thought they had succeeded in doing under this schedule, was to make the deduction of rent, which was, of course, a part payment of the compensation levy, only payable by those interested in the perpetuation of the licence. Let him give the simplest case possible. Supposing a house was worth £100 per annum without a licence, and £200 with a licence, and the landlord had merely a ground rent of £5, he was not interested in the payment of the compensation levy nor in the receipt of the compensation money. His rent was absolutely and fully secured by the premises themselves without any reference to the licence. That was the case which they had dealt with under sub-head (b) of subsection 2, where they provided that no deduction should be made where the rent was less than one-fifth of the annual value. The Bill assumed that where the rent was less than one-fifth of the annual value of the premises the ground rent was absolutely secured without any licence attaching to the premises at all. Then as to sub-head (a) the Government thought they had made it fairer for those people whose rent was not part of the rack-rent, but who were abundantly secured without any reference to the licence attaching to the premises. He did not know whether in the case put the intermediate lessee paid more than his share, but he was certainly very much better off under their Bill than he would be under the Act of 1904.

MR. CAVE said the case he put had not been met, because the intermediate lessee had no interest in keeping up the licence, as he would have the same rent whether the licence went or not, and he had to pay £5 for nothing.

SIR S. EVANS said he would look into the matter a little more closely. It was the sort of thing they intended to provide for by their modification. It was a most difficult subject, but he was perfectly certain that they had approached it from the right point of view, and they had made modifications which would prevent a great deal of injustice.

*MR. BERTRAM said he desired to put this concrete instance, and in order to put it clearly before the Committee he would refer to himself as the intermediate lessee. He was the leasehold owner of a licensed house. He held that house on a term of years, and paid the ground landlord £2 a year. He did not occupy the premises himself. They were sub-let to a firm of brewers, Watney, Coombe & Co., who paid him £20 a year. The assessable value of the premises was £100 a year. Watney, Coombe & Co. had since acquired the freehold reversion, and the position was that the tenants of his leasehold house paid him £20 a year, and he paid them £2 a year as the ground landlords. Their contribution to the compensation fund under the Act of 1904 enabled them to come to him and say: "Our contribution has been in excess of £10, and we are going to reduce your rent by 50 per cent." They then paid him only £10 a year, and he in return was entitled to reduce his payment to them of £2 a year by 50 per cent. That was a case which was never contemplated by the Act of 1904, for though he lost £10 every year he obtained no share of the compensation fund. He had taken counsel's opinion on the matter, and had been advised that he had no option but to submit to the reduction of rent. He again consulted counsel, and pointed out that though it was true Watney, Coombe & Co. carried on a licensed business in a proper manner they had covenanted not to carry on any trade which prejudiced or annoyed him, and that they were prejudicing him by deducting half his rent, because the premises if used for other purposes would pay him the full rent. Counsel said that would not do, that he was straining the meaning of words beyond that which they ought to bear, and that he had no remedy. He then looked to these sub-clauses to relieve him of the hardships imposed upon him by the Act of 1904. He particularly called attention to the governing words of Sections (*a*) and (*b*)—

> "Except where the rent payable is rent payable by a licence-holder."

As in his case the rent was paid by the licence-holder, in spite of the fact that these premises were worth £100 a year, and that he would far sooner they were used for any other purpose than the sale of alcoholic liquor, he was excluded from the benefit of the section. He was sure that it was not the intention of the Government to exclude him in this way. Those were the particulars of a case—he was not the leaseholder, and only referred to himself as such to put the case clearly—where protection ought to be afforded to the person who had an interest in the premises, apart altogether from the licence, in which he had no interest whatever, and he hoped the hon. and learned Gentleman in the consultation he proposed to have with the hon. and learned Member for Kingston would be able to arrive at some solution which would do away with this hardship.

SIR S. EVANS said he was grateful to the hon. Member for the lucid manner in which he had put his case. It was not only put before him clearly, but also with some pathos, and it was with great astonishment and equal delight that he found his hon. friend was not the unfortunate leaseholder. It was the case of such a house that the Government wanted to meet in sub-clauses (*a*) and (*b*). Some alteration was no doubt necessary, and if his hon. friend would increase his obligation to him by joining in the consultation he proposed to have with his hon. and learned friend the Member for Kingston he thought they would be able to arrive at a satisfactory solution.

Amendment, by leave, withdrawn.

Question put, "That this be the third Schedule to the Bill."

The Committee divided :—Ayes, 262; Noes, 88. (Division List No. 356).

AYES.

Abraham, William (Rhondda)
Agar-Robartes, Hon. T. C. R.
Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Ashton, Thomas Gair
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury,E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn,Sir J.Williams(Devonp'rt
Bennett, E. N.
Berridge, T. H. D.
Bertram, Julius
Bethell,SirJ.H.(Essex,Romf'rd
Black, Arthur W.
Boulton, A. C. F.
Brace, William
Bramsdon, T. A.
Brigg, John
Brodie, H. C.
Brunner, J.F.L. (Lancs.,Leigh)
Brunner,RtHnSir J.T(Cheshire
Bryce, J. Annan
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cameron, Robert
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cherry, Rt. Hon. R. R.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Compton-Rickett, Sir J.
Cooper, G. J.
Corbett,C H(Sussex,E.Grinst'd
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cowan, W. H.
Crooks, William
Crosfield, A. H.
Crossley, William J.
Davies,David (MontgomeryCo)
Davies, Ellis William (Eifion)
Davies,M.Vaughan- (Cardigan)
Davies, Timothy (Fulham)
Dewar, Arthur (Edinburgh, S.)
Dilke, Rt. Hon. Sir Charles
Dobson, Thomas W.
Duncan, C.(Barrow-in-Furness)
Dunne,Major E.Martin(Walsall
Edwards, Sir Francis (Radnor)
Erskine, David C.
Essex, R. W.
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferguson, R. C. Munro
Findlay, Alexander
Foster, Rt. Hon. Sir Walter
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Gladstone,Rt Hn.Herbert John
Glen-Coats,Sir T.(Renfrew,W.)
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Griffith, Ellis J.
Gulland, John W.
Harcourt,Rt.Hn.L.(Rossendale
Harcourt,Robert V.(Montrose)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harvey, W.E.(Derbyshire,N.E
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hazel, Dr. A. E.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J.M.(Aberdeen,W.
Henry, Charles S.
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hogan, Michael
Holland, Sir William Henry
Hooper, A. G.
Hope,W.Bateman(Somerset,N
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Illingworth, Percy H.
Jackson, R. S.
Jacoby, Sir James Alfred
Jones, Leif (Appleby)
Jones,William(Carnarvonshire)
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lambert, George
Lamont, Norman
Layland-Barratt, Sir Francis
Lea,Hugh Cecil(St.Pancras,E.)
Leese,SirJosephF.(Accrington)
Lehmann, R. C.
Lever, A. Levy (Essex,Harwich
Lever, W. H. (Cheshire, Wirral)
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R.)Leicester)

Macdonald,J.M.(Falkirk B'ghs)
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacVeagh,Jeremiah (Down,S.)
M'Callum, John M.
M'Crae, Sir George
M'Laren, H. D. (Stafford, W.
M'Micking, Major G.
Maddison, Frederick
Marks,G. Croydon(Launceston)
Marnham, F. J.
Massie, J.
Menzies, Walter
Micklem, Natheniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Montgomery, H. G.
Morgan, G. Hay (Cornwall)
Morgan,J. Lloyd (Carmarthen)
Morse, L. L.
Murray, James (Aberdeen, E.)
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Newnes, Sir George (Sawnsea)
Nicholls, George
Nicholson,Charles N.(Doncast'r
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
O'Grady, J.
Partington, Oswald
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Pearson,W.H.M. (Suffolk,Eye)
Perks, Sir Robert William
Pickersgill, Edward Hare
Pollard, Dr.
Price,Sir Robert J.(Norfolk,E.)
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rees, J. D.
Richards,Thomas (W.Monm'th
Richards,T.F.(Wolverh'mpt'n)
Richardson, A.
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Roberts, Sir J. H. (Denbighs.)
Robertson,Sir G.Scott(Bradf'rd
Robinson, S.
Roch, Walter F. (Pembroke)
Rose, Charles Day
Rowlands, J.
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann,Sir C.E. (Manchester)
Scott,A.H.(Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Shackleton, David James
Shaw,Rt. Hon. T.(Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley,Hn.A. Lyulph (Chesh.)
Steadman, W. C.
Stewart-Smith, D. (Kendal)
Sutherland, J. E.
Thomas, Abel (Carmarthen, E.)
Thomas,Sir A. (Glamorgan, E.)
Thorne,G.R (Wolverhampton)
Thorne, William (West Ham)
Tomkinson, James
Ure, Alexander
Vivian, Henry
Walsh, Stephen
Walton, Joseph
Ward, John (Stoke-upon-Trent
Warner, Thomas Courtenay T.
Wason,John Cathcart(Orkney)
Waterlow, D. S.
Watt, Henry A.
White, Sir George (Norfolk)
White,J.Dundas(Dumbart'nsh.
White, Luke (York, E. R.)
Whitehead, Rowland
Whitley,John Henry (Halifax)
Whittaker,Rt Hn.SirThomasP.
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters
Wilson, Henry J. (York, W.R.)
Wilson, J. H. (Middlesbrough)
Wilson, W. T. (Westhoughton)
Winfrey, R.

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood,Rt Hn.SirAlex.F.
Arkwright, John Stanhope
Balcarres, Lord
Baldwin, Stanley
Banner, John S. Harmood-
Barrie, H. T. (Londonderry, N.
Beach,Hn.Michael Hugh Hicks
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Carlile, E. Hildred
Cave, George
Cecil, Lord John P. Joicey-
Clive, Percy Archer
Cochrane, Hon. Thos. H. A. E.
Collings,Rt.Hn.J. (Birmingh'm
Craig,Charles Curtis(Antrim, S.
Craig,Captain James(Down, E.)
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Duncan, Robert(Lanark,Govan
Faber, George Denison (York)
Faber, Capt. W. V. (Hants, W)
Fardell, Sir T. George
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Cooch,Henry Cubitt(Peckham)
Goulding, Edward Alfred
Gretton, John
Guinness,Hon.R. (Haggerston)
Guinness, W.E. (Bury S.Edm.)
Hamilton, Marquess of
Heaton, John Henniker
Hill Sir Clement
Hills, J. W.
Hope,James Fitzalan(Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Joynson-Hicks, William
Kerry, Earl of
King,Sir Henry Seymour(Hull)
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Lee,Arthur H.(Hants,Fareham
Lockwood,Rt.Hn.Lt.-Col. A.R.
Long,Rt.Hn.Walter (Dublin,S.
Lowe, Sir Farncis William
M'Arthur, Charles
Magnus, Sir Philip
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield
Nield, Herbert
O'Brien, Patrick (Kilkenny)
Oddy, John James
Pease,Herbert Pike(Darlington
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Ratcliff, Major R. F.
Rawlinson,John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Renwick, George
Roberts,S. (Sheffield, Ecclesall)
Ropner, Colonel Sir Robert
Rutherford, John (Lancashire)
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Smith,F.E. (Liverpool, Walton)
Starkey, John R.
Talbot, Lord E. (Chichester)
Thomson,W.Mitchell-(Lanark)
Thornton, Percy M.
Valentia, Viscount
Walrond, Hon. Lionel
White, Patrick (Meath, North)

Willoughby de Eresby, Lord)
Wilson, A. Stanley (York, E.R.)
Wortley, Rt. Hon. C. B. Stuart-
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

Tellers for the Noes—Sir Frederick Banbury and Mr. Ashley.

Schedule 4 agreed to.

Schedule 5 :

Mr. McARTHUR (Liverpool, Kirkdale) wished to say a word as to the shipping industry in reference to the Bill. The Bill made no difference between the conditions afloat and on shore, and the consequence was that it was altogether impossible as regards practical shipping. They thanked the Under-Secretary for the concessions he had made and for the Amendment which appeared in his name; but they did not go quite far enough. They failed altogether to distinguish between conditions on shore and conditions afloat. It was quite practicable for a licence-holder to avoid permitting drunkenness on shore, because, if a man entered his premises in a state of drunkenness, he had simply to turn him out into the street. In the case of a ship, they could not do that. They could not turn a man out of a ship by heaving him overboard. Then the owner or master of a vessel had no power to search a passenger. Supposing a passenger brought on board some intoxicating drink in his pocket, who was to prevent him drinking it? The master of a ship was a man whose mind was occupied altogether with other matters than those behind the bar; he was responsible for the safety of the ship, and of the lives of those on board; and it was simply unjust to make him liable to a fine of £10 for the first offence, and of £20 for a subsequent offence for permitting drunkenness on his vessel. He submitted that some such Amendment as he proposed, or as was proposed by the hon. Member for Gloucester, was necessary to adapt the Schedule—not to destroy it—to the conditions which prevailed at sea.

Amendment proposed—

"In page 29, to leave out line 30."—(*Mr. McArthur.*)

Question proposed, "That the words proposed to be left out stand part of the Schedule."

*Mr. HERBERT SAMUEL said the Schedule was rendered necessary by the very great evils which existed, especially on certain river steamers on some of the rivers of England, which were practically run as floating public-houses mainly for the purpose of drinking. The late Government was impressed by this and was, he believed, anxious to deal with it in one of their Bills, but it was impracticable to do so. The question raised no party issue. The condition of things which was known to exist on certain of our rivers needed to be dealt with by the Legislature. The Government had had complaints, from the Worcester County Council for example, with regard to the state of things which existed on the Severn, and occasionally with reference to abuses on the Thames, and there were other places in which the evil occurred. It had been suggested that the right remedy was to require the boats to take out a justices' licence and put them under the same control as a public-house; but for various administrative reasons it was impossible to apply the machinery of a justices' licence to movable vessels. It was proposed therefore to leave them as at present with an excise licence, but to impose additional restrictions upon them. The problem before them was very similar to the problem of the clubs. They had to distinguish there between the mainly drinking club and the reputable club, which was not to be interfered with more than was absolutely necessary. They had here to strike at the evil on board the drinking steamer and to leave the ordinary reputable steamers which had excise licences for the sale of intoxicants as little interfered with as possible. He admitted that the Schedule as originally drafted was in some of its particulars too drastic, and he had had the opportunity of conferring with hon. Members who represented ship-owners, and, as a result, there were a series of Amendments standing in his name which he understood from a deputation which saw him a few days ago met their case. The Amendment, however, which the hon. Member opposite had moved would really destroy the purpose of the Schedule. He proposed to leave out the line which imposed the penalty for permitting drunkenness. The line applied to the case of these ships, Section 13 of the Licensing Act of 1872, which seemed perfectly applicable to them. That section provided that if any person permitted drunkenness or any quarrelsome or riotous conduct to take place on his premises or the sale of any intoxicating liquor to any drunken person he should be liable to a penalty. The word "permitted" implied that be permitted with knowledge. A shipowner who took ordinary precautions and appointed suitable persons to serve as stewards and in other ways provided against drunkenness would not be liable to a penalty if someone surreptitiously imported bottles of liquor and consumed them, and no prosecutions would lie. It was known, however, that in the case of river steamers gross drunkenness took place, and if the owner or master were warned by the police that this was taking place, then a prosecution could follow, and it could be proved that he had with his knowledge permitted drunkenness. If line 30 were left out, the purpose of the Schedule would be completely defeated; and, if it were left in, it would impose no real hardship upon any reputable master or owner of a ship.

MR. STUART WORTLEY could not believe that so cute a man as the right hon. Gentleman had not fully appreciated the gist of the Amendment. It was not merely the case of a man who had surreptitiously brought drink on board and so made it possible for the shipowner to say he did not know he was getting drunk. The licence-holder on shore, even where evidence was wanting to show that he had done anything to make a man in his house drunk, could nevertheless be convicted because he allowed a drunken person to remain on his premises, because he might thus be said to have condoned, connived at, or permitted drunkenness. In the case of the steamer afloat there was no means of getting rid of a person who might surreptitiously have brought drink on board, and thus got drunk, and that was really what his hon. friend had tried to provide for. He could quite understand that the right hon. Gentleman had difficulty in accepting the total deletion of line 30; but he did not see why he should not be ready to accept some less drastic Amendment, such as was proposed by the hon. Member for Gloucester, providing that the permitting of drunkenness should relate to the sale of intoxicating liquor to any drunken person.

MR. ASHLEY said it seemed to him from the speech of the Under-Secretary that the whole of the passenger vessels that plied round the coasts of England were to be penalised, and a stigma put upon them, simply because, according to him, certain launches on rivers had misbehaved in the past. He protested most earnestly on behalf of companies who had a most respectable service from London, Liverpool, Blackpool, Fleetwood, etc., that their conduct should be brought under review in this way simply because in certain places on inland rivers misconduct had occurred. Why, if these coasting steamers were to be penalised in this way, should not foreign going steamers be equally brought under review? These things occurred on foreign going steamers as much as on coasting steamers. Also, if the right hon. Gentleman was going to penalise the steamer that went from Liverpool to the Isle of Man, why should not the steamer that went from Dublin to Holyhead or from Glasgow to another port in Scotland be similarly treated? It was not proposed that these things should be made illegal in Ireland or Scotland. Surely what was sauce for the goose was sauce for the gander, and if they were to have these drastic provisions enforced in England, it was right that Scotch and Irish companies should be treated in the same way. What the right hon. Gentleman proposed to do in this Schedule was to make the whole of a passenger steamer into licensed premises. A public-house was only licensed as regards certain rooms, but here they were going to say drunkenness was an offence not merely in the bar or the saloon, but in a passenger's private cabin. Surely that was carrying interference with individual liberty very much too far. Were not Acts of Parliament already in force sufficient to meet the case? A man at present who was drunk and disorderly, and refused to go ashore when requested, at the next port of landing, was liable to a fine of 40s. recoverable in a Court of Summary Jurisdiction. But the most unfair part of the Schedule was that it made the wretched captain liable for any act of drunkenness which might occur in any part of the ship. If a man came on board perfectly sober with a bottle of whisky in his pocket, and repaired to his cabin and become drunk, the captain on the bridge was liable to a fine of £50 for having permitted such a thing to go on. How on earth could he prevent it? Was it fair that this very deserving class of men should be put under this disability? If they must do something the thing to do was to say that each vessel must have a licence. Let the Commissioners appoint a licence-holder for each vessel, in preference the chief steward, and make him liable, but for Heaven's sake, and in the name of commonsense and honesty, let them not make the wretched captain liable who was much better employed in navigation.

*MR. F. E. SMITH (Liverpool, Walton) hoped sincerely that the Committee would very carefully consider before they supported the proposal which the Government was putting forward in opposition to the Amendment. The subject matter of the Amendment was more strongly felt at Liverpool and other large ports than probably any Amendment that had engaged the attention of the Committee in the whole controversial and stormy course of the Bill. There was in Liverpool an extremely influential merchant guild which represented some thousands of masters in the mercantile marine, and although these men, unfortunately, were practically, though not nominally, disfranchised, and therefore unable to bring Parliamentary pressure to bear, there existed amongst them the very strongest feeling in opposition to the proposals of the Government. *Prima facie*, those proposals required very considerable justification, but the right hon. Gentleman's speech only came to this, that in his judgment, and that of the Government, in the case of river steamers great evils were admitted to exist, and he had spoken of some inchoate proposals on the part of the late Government which never reached maturity, for the purpose of dealing with those evils. That argument, with the greatest possible respect, was a most lamentable justification for extending the most tyrannous inspection not to the river steamers, which alone were complained of, but to all sea-going steamers. Further, the right hon. Gentleman's explanation on the legal side left something very greatly to be desired. He spoke of what was the meaning of permitting drunkenness. If he did not know, the Solicitor-General would inform him what the effect of decisions of the Courts had been to define the offence of permitting drunkenness. It had been laid down by the existing decisions as to permitting drunkenness that whether or not in fact the person charged with permitting drunkenness knew of it, the law under all circumstances imposed upon him the onus of showing that he did not know of it, and that every conceivable precaution against drunkenness had been used. He would not say that that decision was a perfectly reasonable one, but a great deal was to be said on behalf of it when dealing with the licensee of a public-house in parts of which alone it was permissible to sell intoxicating drink. To throw the onus on the captain, whose business had nothing to do with the sale of alcohol, was absurd and illogical. They might as well say when the right hon. Gentleman sat on the front bench, which furnished a rough analogue for the quarter-deck, he was to be responsible for anyone in the smoking-room of the House. His means of judging and of exercising control would be exactly comparable to those possessed by a master. Indeed, there would be this difference in favour of the right hon. Gentleman, as compared with the master, that it would matter very little if the right hon. Gentleman's attention on the front bench were to stray a little. He had always the Solicitor-General to take up a point he might miss. But the Government imposed upon the master the onus of roaming through the passages of the ship, including the saloons of the ladies. He supposed they had searched through the casualty lists, and were of opinion, having regard to the necessities of modern seamanship, that it was a move in the right direction that duties of this kind should be imposed upon the master, upon whom the primary responsibility for the safety of the ship existed. It was obvious that if the Government wished to impose any such responsibility it must necessarily be imposed, not upon the master, but upon either the head steward or some new functionary to be created to discharge duties comparable in their character to those discharged by a licensee of licensed premises. He submitted to the better judgment of the Committee that the whole of these provisions, so far as merchant vessels were concerned, had never been thought out. They could not be introduced into the Bill, with the main object of which they had nothing whatever to do, without the greatest possible risk to the safety of the vessels. He hoped they would hear from the Government that if their reforming tendencies were to be applied to merchant vessels, at least they would not choose as the subject of their experiment the person on whose constant devotion to the actual duties of his office the safety of the vessel and those in it depended.

*Mr. HERBERT SAMUEL said he should like to answer two points which had been raised. The first was the suggestion that it might be possible to devise some geographical line to distinguish between river steamers and other steamers. It was impracticable to devise any such line, for many steamers plied partly in rivers and partly on the sea. With regard to the suggestion that if they had to impose restrictions some person should be invented or devised on whom the penalty might fall, other than the master, in all their legislation dealing with shipping, the master or captain of the vessel was always the person made technically liable.

*Mr. F. E. SMITH: Certainly, but this Bill is not a shipping Bill.

*Mr. HERBERT SAMUEL said it was impossible, in practice, to provide any other person for fear of evasion of the law by the owners of the vessel. Nothing could be simpler in the case of boats that plied, especially on Sundays, on rivers, and which were merely floating public-houses, than to put in nominal charge of the bar some man of straw who, after he had been penalised on one occasion, could be easily replaced by another. As to the main objection, the person who was responsible for any act of misconduct in the largest hotel was not the man behind the bar, but the owner of the hotel.

Question put.

The Committee divided:—Ayes, 285; Noes, 101. (Division List No. 357.)

AYES.

Abraham, William (Rhondda)
Agar-Robartes, Hon. T. C. R.
Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Ashton, Thomas Gair
Astbury, John Meir
Baker, Sir John (Portsmouth)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn, Sir J. Williams (Devonp'rt
Bennett, E. N.
Berridge, T. H. D.
Bethell, Sir J. H. (Essex, Romf'rd
Black, Arthur W.
Boulton, A. C. F.
Brace, William
Bramsdon, T. A.
Brigg, John
Bright, J. A.
Brodie, H. C.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Brunner, Rt Hn Sir J. T (Cheshire
Bryce, J. Annan
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cameron, Robert
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cherry, Rt. Hon. R. R.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Compton-Rickett, Sir J.
Cooper, G. J.
Corbett, C H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crooks, William
Crosfield, A. H.
Crossley, William J.

Davies, David (Montgomery Co.
Davies, Ellis William (Eifion)
Davies, M. Vaughan- (Cardigan
Davies, Timothy (Fulham)
Dewar, Arthur (Edinburgh, S.)
Dickinson, W.H. (St. Pancras, N.
Dilke, Rt. Hon. Sir Charles
Dobson, Thomas W.
Duncan, C. (Barrow-in-Furness
Dunne, Major E. Martin (Walsall
Edwards, Sir Francis (Radnor)
Erskine, David C.
Essex, R. W.
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferguson, R. C. Munro
Findlay, Alexander
Foster, Rt. Hon. Sir Walter
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Gladstone, Rt Hn. Herbert John
Glen-Coats, Sir T. (Renfrew, W.
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Guest, Hon. Ivor Churchill
Gulland, John W.
Haldane, Rt. Hon. Richard B.
Harcourt, Rt Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Harmsworth, R.L. (Caithn'ss-sh
Hart-Davies, T.
Harvey, W.E. (Derbyshire, N.E
Harwood, George
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hazel, Dr. A. E.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J.M. (Aberdeen, W.)
Henry, Charles S.
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Holland, Sir William Henry
Hooper, A. G.
Hope, W. Bateman (Somerset, N
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Illingworth, Percy H.
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, Sir James Alfred
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Layland-Barratt, Sir Francis
Leese, Sir Joseph F. (Accrington
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich)
Lever, W. H. (Cheshire, Wirral)
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Rt. Hon. Thomas
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Mcadonald, J.M. (Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah (Down, S.)
M'Callum, John M.
M'Crae, Sir George
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mansfield, H. Rendall (Lincoln)
Marks, G. Croydon (Launceston)
Marnham, F. J.
Mason, A. E. W. (Coventry)
Massie, J.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Montgomery, H. G.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morse, L. L.
Morton, Alpheus Cleophas
Murray, James (Aberdeen, E.)
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Newnes, Sir George (Swansea)
Nicholls, George
Nicholson, Charles N. (Doncast'r
Norman, Sir Henry
Norton, Captain Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
O'Grady, J.
Partington, Oswald
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Pearson, W. H. M. (Suffolk, Eye)
Perks, Sir Robert William
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Price, Sir Robert J. (Norfolk, E.)
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rees, J. D.
Richards, Thomas (W. Monm'th
Richards, T. F. (Wolverh'mpt'n
Richardson, A.
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Roberts, Sir J. H. (Denbighs.)
Robertson, Sir G. Scott (Bradf'rd
Robinson, S.
Roch, Walter F. (Pembroke)
Rose, Charles Day
Rowlands, J.
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann, Sir C. E. (Manchester)
Scott, A. H. (Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Colonel
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn. A. Lyulph (Chesh.)
Steadman, W. C.
Stewart-Smith, D. (Kendal)
Sutherland, J. E.
Tennant, Sir Edward (Salisbury
Thomas, Abel (Carmarthen, E.)
Thomas, Sir A. (Glamorgan, E.)
Thomasson, Franklin
Thorne, G.R. (Wolverhampton)
Thorne, William (West Ham)
Tomkinson, James
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Vivian, Henry
Walsh, Stephen
Walton, Joseph
Ward, John (Stoke upon Trent)
Ward, W. Dudley (Southampt'n
Warner, Thomas Courtenay T.
Wason, Rt Hn. E. (Clackmannan
Wason, John Cathcart (Orkney)
Waterlow, D. S.
White, Sir George (Norfolk)
White, J. Dundas (Dumbart'nsh
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker, Rt. Hn. Sir Thomas P
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Williamson, A.

Wills, Arthur Walters
Wilson, Henry J. (York, W.R.)
Wilson, J.H. (Middlesbrough)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood, RtHn.Sir Alex.F.
Arkwright, John Stanhope
Ashley, W. W.
Balcarres, Lord
Baldwin, Stanley
Banbury, Sir Frederick George
Banner, John S. Harmood-
Barrie, H. T. (Londonderry,N.)
Beach, Hn.Michael Hugh Hicks
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone,E.)
Clive, Percy Archer
Cochrane, Hon. Thos. H. A. E.
Collings, Rt.Hn.J. (Birm'gham)
Craig, Charles Curtis (Antrim,S.
Craig, Captain James (Down,E.)
Craik, Sir Henry
Cross, Alexander
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Duncan, Robert (Lanark,Govan
Faber, George Denison (York)
Faber, Capt. W. V. (Hants, W.)
Fardell, Sir T. George
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Gooch, Henry Cubitt (Peckham)
Goulding, Edward Alfred
Gretton, John
Guinness, Hon.R. (Haggerston)
Guinness, W.E. (Bury S. Edm.)
Hamilton, Marquess of
Harrison-Broadley, H. B.
Heaton, John Henniker
Hill, Sir Clement
Hills, J. W.
Hope, James Fitzalan (Sheffield
Houston, Robert Paterson
Hunt, Rowland
Joynson-Hicks, William
Kerry, Earl of
Keswick, William
King, SirHenrySeymour (Hull)
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Lee, Arthur H. (Hants,Fareham
Lockwood, Rt.Hn.Lt.-Col.A.R.
Long, Rt.Hn. Walter (Dublin,S)
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
Magnus, Sir Philip
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
Oddy, John James
Pease, Herbert Pike (Darlington
Percy, Earl
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Ratcliff, Major R. F.
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Renwick, George
Roberts, S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Ropner, Colonel Sir Robert
Rutherford, John (Lancashire)
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Smith, Abel H. (Hertford, East)
Smith, F.E. (Liverpool, Walton)
Starkey, John R.
Talbot, Lord E. (Chichester)
Talbot, Rt.Hn.J.G. (Oxf'dUniv.
Thomson, W.Mitchell-(Lanark)
Thornton, Percy M.
Valentia, Viscount
Walrond, Hon. Lionel
Watt, Henry A.
Whitbread, Howard
White, Patrick (Meath, North)
Willoughby de Eresby, Lord
Wilson, A.Stanley (York, E.R.)
Wortley, Rt. Hon. C. B.Stuart-
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE NOES—Mr. M'Arthur and Mr. Cave.

And, it being after half-past Ten of the Clock, the CHAIRMAN proceeded, in pursuance of the Order of the House of 17th July, successively to put forthwith the Question on the Amendments moved by the Government, of which notice had been given, and the Questions necessary to dispose of the Business to be concluded this day.

Amendments proposed—

"In page 29, to leave out line 35."

"In page 29, to leave out lines 39 to 41, inclusive."

"In page 30, line 6, to leave out the words '1828 to 1906.'"

"In page 30, to leave out lines 8 to 12, inclusive."

"In page 30, to leave out lines 21 and 22."

"In page 30, line 23, after the word 'under,' to insert the words Paragraph (2) of.'"

"In page 30, line 34, to leave out the words 'or on board any other vessel belonging to the same owner. Provided that nothing in this provision shall prevent the supply of intoxicating liquor to a person taking a meal in a part of the vessel assigned for the purpose, or requiring the liquor on account of illness.'"—(*Mr. Herbert Samuel.*)

Amendments made.

Question, "That this Schedule as amended be the fifth Schedule to the Bill."

The Committee divided:—Ayes, 285; Noes, 102. (Division List No. 358.)

AYES.

Abraham, William (Rhondda)
Agar-Robartes, Hon. T. C. R.
Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Ashton, Thomas Gair
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)

Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn,Sir J.Williams(Devonp'rt
Benn,W.(T'w'r Hamlets,S.Geo.
Bennett, E. N.
Berridge, T. H. D.
Bethell,SirJ.H. (Essex,Romf'rd
Black, Arthur W.
Boulton, A. C. F.
Brace, William
Bramsdon, T. A.
Brigg, John
Bright, J. A.
Brodie, H. C.
Brooke, Stopford
Brunner,J.F.L. (Lancs., Leigh)
Brunner,RtHnSirJ.T (Cheshire
Bryce, J. Annan
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cameron, Robert
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cherry, Rt. Hon. R. R.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Compton-Rickett, Sir J.
Cooper, G. J.
Corbett, CH(Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crooks, William
Crosfield, A. H.
Crossley, William J.
Davies, David (Montgomery Co.
Davies, Ellis William (Eifion)
Davies, M. Vaughan- (Cardigan
Davies, Timothy (Fulham)
Dewar, Arthur (Edinburgh, S.)
Dickinson, W.H.(St.Pancras,N
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dobson, Thomas W.
Duncan, C(Barrow-in-Furness)
Dunne,Major E.Martin(Walsall
Edwards, Sir Francis (Radnor)
Erskine, David C.
Essex, R. W.
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferguson, R. C. Munro
Findlay, Alexander
Foster, Rt. Hon. Sir Walter
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Gladstone, Rt.Hn.HerbertJohn
Glen-Coats, Sir T. (Renfrew,W.
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Guest, Hon. Ivor Churchill
Gulland, John W.
Haldane, Rt. Hon. Richard B.
Harcourt,Rt.Hn.L.(Rossendale
Harcourt,Robert V. (Montrose)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Harmsworth,R.L.(Caithn'ss-sh
Hart-Davies, T.
Harvey,W E.(Derbyshire,N.E.
Harwood, George
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hazel, Dr. A. E.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson,J.M. (Aberdeen,W.)
Henry, Charles S.
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Holland, Sir William Henry
Hooper, A. G.
Hope,W.Bateman (Somerset,N
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Illingworth, Percy H.
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, Sir James Alfred
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, EdmundG. (Leominster)
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Layland-Barratt, Sir Francis
Leese,SirJoseph F. (Accrington
Lehmann, R. C.
Lever,A.Levy(Essex,Harwich)
Lever, W.H. (Cheshire,Wirral)
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Rt. Hon. Thomas
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, J.M.(Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacVeagh,Jeremiah (Down,S.)
M'Callum, John M.
M'Crae, Sir George
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mansfield, H. Rendall (Lincoln)
Marks,G.Croydon(Launceston)
Marnham, F. J.
Mason, A. E. W. (Coventry)
Massie, J.
Masterman, C. F. G.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Aiport
Mond, A.
Montague, Hon. E. S.
Montgomery, H. G.
Morgan, G. Hay (Cornwall)
Morgan,J Lloyd Carmarthen)
Morse, L. L.
Morton, Alpheus Cleophas
Murray, James (Aberdeen, E.)
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Newnes, Sir George (Swansea)
Nicholls, George
Nicholson,Charles N.(Doncast'r
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
O'Grady, J.
Partington, Oswald
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Pearson,W. H. M.(Suffolk,Eye)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Price,Sir Robert J.(Norfolk,E.)
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rees, J. D.
Richards,Thomas (W.Monm'th
Richards,T. F. (Wolverh'mpt'n
Richardson, A.
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Roberts, Sir J. H. (Denbighs.)
Robertson,Sir G.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Roch, Walter F. (Pembroke)
Rose, Charles Day
Rowlands, J.
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann,Sir C.E.(Manchester)

Scott,A.H.(Ashton-under-Lyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Colonel
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanley,Hn.A. Lyulph (Chesh.)
Steadman, W. C.
Stewart-Smith, D. (Kendal)
Sutherland, J. E.
Tennant,Sir Edward (Salisbury
Thomas, Abel (Carmarthen, E.)
Thomas, Sir A. (Glamorgan,E.)
Thomasson, Franklin
Thorne,G.R. (Wolverhampton)
Thorne, William (West Ham)
Tomkinson, James
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Vivian, Henry
Walsh, Stephen
Walton, Joseph
Ward, John (Stoke upon Trent)
Ward,W.Dudley (Southampton
Warner, Thomas Courtenay T.
Wason,Rt Hn.E.(Clackmannan
Wason,John Cathcart (Orkney)
Waterlow, D. S.
White, Sir George (Norfolk)
White,J.Dundas(Dumbart'nsh
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker,RtHn.Sir ThomasP.
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters
Wilson, Henry J. (York, W.R.)
Wilson, J. H. (Middlesbrough)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon

Tellers for the Ayes—Mr. Joseph Pease and Master of Elibank.

NOES.

Arkwright, John Stanhope
Ashley, W. W.
Balcarres, Lord
Baldwin, Stanley
Banbury, Sir Frederick George
Banner, John S. Harmood-
Barrie, H. T. (Londonderry,N.)
Beach, Hn.Micheal Hugh Hicks
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Cave, George
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Clive, Percy Archer
Cochrane, Hon. Thos. H. A. E.
Collings,Rt.Hn.J. (Birm'gham)
Craig,Charles Curtis(Antrim,S.
Craig,Captain James (Down,E.
Craik, Sir Henry
Cross, Alexander
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Duncan,Robert (Lanark,Govan
Faber, George Denison (York)
Faber, Capt. W. V. (Hants,W.)
Fardell, Sir T. George
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Gooch,Henry Cubitt(Peckham)
Goulding, Edward Alfred
Gretton, John
Guinness, Hon.R.(Haggerston)
Guinness, W.E. (Bury S. Edm.)
Hamilton, Marquess of
Harrison-Broadley, H. B.
Heaton, John Henniker
Hill, Sir Clement
Hills, J. W.
Hope,James Fitzalan(Sheffield
Houston, Robert Paterson
Hunt, Rowland
Joynson-Hicks, William
Kerry, Earl of
Keswick, William
King,Sir Henry Seymour(Hull)
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Lee,Arthur H.(Hants,Fareham
Lockwood,Rt Hn.Lt.-Col.A.R.
Long, Rt.Hn.Walter(Dublin,S)
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
M'Arthur, Charles
Magnus, Sir Philip
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm.G. (Petersfield)
Nield, Herbert
Oddy, John James
Pease,Herbert Pike(Darlington
Percy, Earl
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Ratcliff, Major R. F.
Rawlinson,JohnFrederick Peel
Remnant, James Farquharson
Renton, Leslie
Renwick, George
Roberts,S. (Sheffield,Ecclesall)
Ronaldshay, Earl of
Ropner, Colonel Sir Robert
Rutherford, John (Lancashire)
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Smith, Abel H. (Hertford,East)
Smith,F.E. (Liverpool,Walton)
Starkey, John R.
Talbot, Lord E. (Chichester)
Talbot,Rt Hn.J.G.(Oxf'd Univ.
Thomson,W.Mitchell- (Lanark)
Thornton, Percy M.
Walrond, Hon. Lionel
Watt, Henry A.
Whitbread, Howard
White, Patric (Meath, North)
Willoughby de Eresby, Lord
Wilson,A.Stanley (York, E.R.)
Winterton, Earl
Wortley, Rt. Hon.C. B. Stuart-
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

Tellers for the Noes—Sir Alexander Acland-Hood and Viscount Valentia.

Schedule 6:

Question, "That this be the sixth Schedule to the Bill."

The Committee divided:—Ayes, 286; Noes, 99. (Division List No. 359.)

AYES.

Abraham, William (Rhondda)
Agar-Robartes, Hon. T. C. R.
Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Ashton, Thomas Gair
Astbury, John Meir

Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn, Sir J. Williams (Devonp'rt
Benn, W. (T'w'r Hamlets, S. Geo.
Bennett, E. N.
Berridge, T. H. D.
Bethell, Sir J. H. (Essex, Romf'rd
Black, Arthur W.
Boulton, A. C. F.
Brace, William
Bramsdon, T. A.
Brigg, John
Bright, J. A.
Brodie, H. C.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Brunner, Rt Hn Sir J. T (Cheshire
Bryce, J. Annan
Buckmaster, Stanley O.
Burns, Rt. Hon John
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cameron, Robert
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cherry, Rt. Hon. R. R.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Compton-Rickett, Sir J.
Cooper, G. J.
Corbett, CH (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cowan, W. H.
Craig, Herbert J. (Tynemouth)
Crooks, William
Crosfield, A. H.
Crossley, William J.
Davies, David (Montgomery Co.
Davies, Ellis William (Eifion)
Davies, M. Vaughan- (Cardigan
Davies, Timothy (Fulham)
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras, N
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dobson, Thomas W.
Duncan, C (Barrow-in-Furness)
Dunne, Major E. Martin (Walsall
Edwards, Sir Francis (Radnor)
Erskine, David C.
Essex, R. W.
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferguson, R. C. Munro
Findlay, Alexander
Foster, Rt. Hon. Sir Walter
Fullerton, Hugh

Gibb, James (Harrow)
Gill, A. H.
Gladstone, Rt. Hn. Herbert John
Glen-Coats, Sir T. (Renfrew, W.
Gendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Guest, Hon. Ivor Churchill
Gulland, John W.
Haldane, Rt. Hon. Richard B.
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Harmsworth, R. L. (Caithn'ss-sh
Hart-Davies, T.
Harvey, W. E. (Derbyshire, N. E.
Harwood, George
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hazel, Dr. A. E.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.)
Henry, Charles S.
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Holland, Sir William Henry
Hooper, A. G.
Hope, W. Bateman (Somerset, N
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Illingworth, Percy H.
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, Sir James Alfred
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Layland-Barratt, Sir Francis
Leese, Sir Joseph F. (Accrington
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich)
Lever, W. H. (Cheshire, Wirral)
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Rt. Hon. Thomas
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.

Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk B'ghs
Mackarness, Frederic C
Maclean, Donald
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah (Down, S.
M'Callum, John M.
M'Crae, Sir George
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mansfield, H. Rendall (Lincoln)
Marks, G. Croydon (Launceston)
Marnham, F. J.
Mason, A. E. W. (Coventry)
Massie, J.
Masterman, C. F. G.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Montgomery, H. G.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morse, L. L.
Morton, Alpheus Cleophas
Murray, James (Aberdeen, E.)
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Newnes, Sir George (Swansea)
Nicholls, George
Nicholson, Charles N. (Doncast'r
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
O'Grady, J.
Partington, Oswald
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Pearson, W. H. M. (Suffolk, Eye)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Price, Sir Robert J. (Norfolk, E.)
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rees, J. D.
Richards, Thomas (W. Monm'th
Richards, T. F. (Wolverh'mpt'n
Richardson, A.
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Roberts, Sir J. H. (Denbighs.)
Robertson, Sir G. Scott (Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Roch, Walter F. (Pembroke)
Rose, Charles Day
Rowlands, J.
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland
Samuel, S. M. (Whitechapel)
Scarisbrick, T. T. L.

Schwann, C. Duncan (Hyde)
Schwann, Sir C. E. (Manchester)
Scott, A. H. (Ashton-under Lyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Colonel
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick, B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanley, Hn. A. Lyulph (Chesh.
Steadman, W. C.
Stewart-Smith, D. (Kendal)
Sutherland, J. E.
Tennant, Sir Edward (Salisbury
Thomas, Abel (Carmarthen, E.)
Thomas, Sir A. (Glamorgan, E.)
Thomasson, Franklin
Thorne, G. R. (Wolverhampton)
Thorne, William (West Ham)
Tomkinson, James
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Vivian, Henry
Walsh, Stephen
Walton, Joseph
Ward, John (Stoke-upon-Trent)
Ward, W. Dudley (Southampton
Warner, Thomas Courtenay T.
Wason, Rt. Hn. E. (Clackmannan
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. Dundas (Dumbart'nsh
White, Luke (York, E. R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker, Rt. Hn. Sir Thomas P
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters
Wilson, Henry J. (York, W. R.)
Wilson, J. H. (Middlesbrough)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon

Tellers for the Ayes—Mr. Joseph Pease, and Master of Elibank.

NOES.

Arkwright, John Stanhope
Ashley, W. W.
Balcarres, Lord
Baldwin, Stanley
Banbury, Sir Frederick George
Banner, John S. Harmood-
Barrie, H. T. (Londonderry, N.)
Beach, Hn. Michael Hugh Hicks
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Butcher, Samuel Henry
Carlile, E. Hildred
Cave, George
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Clive, Percy Archer
Cochrane, Hon. Thos. H. A. E.
Collings, Rt. Hn. J. (Birm'gham)
Craig, Charles Curtis (Antrim, S.
Craig, Captain James (Down, E.)
Craik, Sir Henry
Cross, Alexander
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Duncan, Robert (Lanark, Govan
Faber, George Denison (York)
Faber, Capt. W. V. (Hants, W.)
Fardell, Sir T. George
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Gooch, Henry Cubitt (Peckham)
Goulding, Edward Alfred
Gretton, John
Guinness, Hon. R. (Haggerston)
Guinness, W. E. (Bury S. Edm.)
Hamilton, Marquess of
Harrison-Broadley, H. B.
Heaton, John Henniker
Hill, Sir Clement
Hills, J. W.
Hope, James Fitzalan (Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Joynson-Hicks, William
Kerry, Earl of
Keswick, William
King, Sir Henry Seymour (Hull)
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Lea, Hugh Cecil (St. Pancras, E.)
Lee, Arthur H. (Hants, Fareham
Lockwood, Rt. Hn. Lt.-Col. A. R.
Long, Rt. Hn. Walter (Dublin, S)
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
M'Arthur, Charles
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
Oddy, John James
Pease, Herbert Pike (Darlington)
Percy, Earl
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Ratcliff, Major R. F.
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Renwick, George
Roberts, S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Ropner, Colonel Sir Robert
Rutherford, John (Lancashire)
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Smith, Abel H. (Hertford, East)
Smith, F. E. (Liverpool, Walton)
Starkey, John R.
Talbot, Lord E. (Chichester)
Talbot, Rt. Hn. J. G. (Oxf'd Univ
Thomson, W. Mitchell- (Lanark)
Thornton, Percy M.
Walrond, Hon. Lionel
White, Patrick (Meath, North)
Willoughby de Eresby, Lord
Wilson, A. Stanley (York, E. R.)
Winterton, Earl
Wortley, Rt. Hn. C. B. Stuart-
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

Tellers for the Noes—Sir Alexander Acland-Hood and Viscount Valentia.

Schedule 7:

Amendment proposed—

"In page 34, line 34, after the word 'three,' to insert the words 'Section 4, from 'which is represented' down to 'taken into consideration.'' "—(*Sir S. Evans.*)

Question put, "That the Amendment be made."

The Committee divided:—Ayes, 285; Noes, 98. (Division List No. 360.)

AYES.

Abraham, William (Rhondda)
Agar-Robartes, Hon. T. C. R.
Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Ashton, Thomas Gair
Astbury, John Meir

Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn, Sir J. Williams (Devonp'rt
Benn, W. (T'w'r Hamlets, S.Geo.
Bennett, E. N.
Berridge, T. H. D.
Bethell, Sir J.H. (Essex, Romf'd)
Black, Arthur W.
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Brigg, John
Bright, J. A.
Brodie, H. C.
Brooke, Stopford
Brunner, J.F.L. (Lancs., Leigh)
Brunner, Rt.Hn.Sir J.T. (Chesh)
Bryce, J. Annan
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cameron, Robert
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cherry, Rt. Hon. R. R.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Compton-Rickett, Sir J.
Cooper, G. J.
Corbett, C H (Sussex, E.Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cowan, W. H.
Craig, Herbert J. (Tynemouth)
Crooks, William
Crosfield, A. H.
Crossley, William J.
Davies, David (Montgomery Co.
Davies, Ellis William (Eifion)
Davies, M. Vaughan- (Cardigan)
Davies, Timothy (Fulham)
Dewar, Arthur (Edinburgh, S.)
Dickinson, W.H. (St.Pancras, N.
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dobson, Thomas W.
Duncan, C, (Barrow-in-Furness)
Dunne, Major E.Martin (Walsall
Edwards, Sir Francis (Radnor)
Erskine, David C.
Essex, R. W.
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferguson, R. C. Munro
Findlay, Alexander
Foster, Rt. Hon. Sir Walter
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Gladstone, Rt Hn. Herbert John
Glen-Coats, Sir T. (Renfrew, W.)
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Griffiths, Ellis J.
Gulland, John W.
Haldane, Rt. Hon. Richard B.
Harcourt, Rt.Hn.L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r.)
Harmsworth, R.L. (Caithness-sh
Hart-Davies, T.
Harvey, W.E. (Derbyshire, N.E.
Harwood, George
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hazel, Dr. A. E.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J.M. (Aberdeen, W.)
Henry, Charles S.
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Holland, Sir William Henry
Hooper, A. G.
Hope, W. Bateman (Somerset, N)
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Illingworth, Percy H.
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, Sir James Alfred
Jones, Leif (Appleby)
Jones, William (Carnarvonshire)
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Layland-Barratt, Sir Francis
Leese, Sir Joseph F. (Accrington)
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich)
Lever, W. H. (Cheshire, Wirral)
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Rt. Hon. Thomas
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk B'ghs.
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah (Down, S.)
M'Callum, John M.
M'Crae, Sir George
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mansfield, H. Rendall (Lincoln)
Marks, G. Croydon (Launceston)
Marnham, F. J.
Mason, A. E. W. (Coventry)
Massie, J.
Masterman, C. F. G.
Menzies, Walter
Micklem, Natheniel
Middlebrook, William
Moteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Montgomery, H. G.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morse, L. L.
Morton, Alpheus Cleophas
Murray, James (Aberdeen,; E.)
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Nicholson, Charles N. (Doncast'r
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
O'Grady, J.
Partington, Oswald
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Pearson, W.H.M. (Suffolk, Eye)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Price, Sir Robert J. (Norfolk, E.)
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rees, J. D.
Richards, Thomas (W.Monm'th)
Richards, T.F. (Wolverh'mpt'n
Richardson, A.
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Roberts, Sir J. H. (Denbighs)
Robertson, Sir G.Scott (Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Roch, Walter F. (Pembroke)
Rose, Charles Day
Rowlands, J.
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)

Schwann,Sir C.E.(Manchester)
Scott,A.H.(Ashton under Lyne)
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Colonel
Shackleton, David James
Shaw, Rt. Hon. T.(Hawick,B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanley,Hn. A.Lyulph (Chesh.)
Steadman, W. C.
Stewart-Smith, D. (Kendal)
Sutherland, J. E.
Tennant,Sir Edward(Salisbury
Thomas,Abel(Carmarthen, E.)
Thomas,Sir A. (Glamorgan, E.)
Thomasson, Franklin
Thorne,G.R.(Wolverhampton)
Thorne, William (West Ham)
Tomkinson, James
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Vivian, Henry
Walsh, Stephen
Walton, Joseph
Ward, John(Stoke upon Trent)
Ward,W.Dudley (Southampton
Warner,Thomas Courtenay T.
Wason,Rt.Hn.E.(Clackmannan
Wason,John Cathcart(Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White,J.Dundas(Dumbart'nsh
White, Luke (York, E. R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker,Rt.Hn.SirThomasP
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters
Wilson,Henry J. (York, W. R.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood,R.Hn.SirAlex.F
Arkwright, John Stanhope
Ashley, W. W.
Balcarres, Lord
Baldwin, Stanley
Banbury, Sir Frederick George
Banner, John S. Harmood-
Barrie, H. T.(Londonderry, N.
Beach,Hn.Michael Hugh Hicks
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Cave, George
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Maylebone, E.)
Clive, Percy Archer
Cochrane, Hon. Thos, H. A. E.
Collings,Rt.Hn.J. (Birm'gham)
Craig,Captain James(Down, E.)
Craik, Sir Henry
Cross, Alexander
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Duncan,Robert (Lanark,Govan
Faber, George Denison (York)
Faber, Capt. W. V. (Hants, W.
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Gooch,Henry Cubitt(Peckham)
Goulding, Edward Alfred
Gretton, John
Guinness,Hon.R. (Haggerston)
Guinness,W.E. (Bury S. Edm.)
Hamilton, Marquess of
Harrison-Broadley, H. B.
Heaton, John Henniker
Hill, Sir Clement
Hills, J. W.
Hope,James Fitzalan(Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Joynson-Hicks, William
Kerry, Earl of
Keswick, William
King,Sir Henry Seymour(Hull)
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Lee,Arthur H.(Hants,Fareham
Lockwood,Rt.Hn.Lt-.Col. A.R.
Long, Rt. Hn.Walter(Dublin,S)
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
M'Arthur, Charles
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm.G. (Petersfield)
Nield, Herbert
Oddy, John James
Pease, Herbert Pike(Darlington
Percy, Earl
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Ratcliffe, Major R. F.
Rawlinson,John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Renwick, George
Ronaldshay, Earl of
Ropner, Colonel Sir Robert
Rutherford, John (Lancashire)
Rutherford, W. W. (Liverpool)
Scott, Sir S. (Marylebone, W.)
Smith,Abel H.(Hertford, East)
Smith,F.E. (Liverpool,Walton)
Starkey, John R.
Talbot, Lord E. (Chicehster)
Talbot,Rt.Hn.J.G.(Oxf'd Univ.
Thomson,W.Mitchell-(Lanark)
Thornton, Percy M.
Valentia, Viscount
Walrond, Hon. Lionel
White, Patrick (Meath, North)
Willoughby de Eresby, Lord
Wilson,A. Stanley (York, E.R.)
Winterton, Earl
Wortley, Rt. Hon.C.B. Stuart-
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE NOES—Mr. Samuel Roberts and Mr. Salter.

Amendment proposed—

"In page 34, line 37, after the word '(2),' to insert the words 'from "Provided that" to the end of the subsection.'"—(*Sir S. Evans.*)

Question put, "That the Amendment be made."

The Committee divided:—Ayes, 278; Noes, 97. (Division List No. 361.)

AYES.

Abraham, William (Rhondda)
Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Ashton, Thomas Gair
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury,E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.

Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beck, A. Cecil
Bellairs, Carlyon
Benn, Sir J. Williams (Devonp'rt
Benn, W. (T'w'r Hamlets, S. Geo)
Bennett, E. N.
Berridge, T. H. D.
Bethell, Sir J H. (Essex, Romf'rd
Black, Arthur W.
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Brigg, John
Bright, J. A.
Brodie, H. C.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Bryce, J. Annan
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cherry, Rt. Hon. R. R.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Compton-Rickett, Sir J.
Cooper, G. J.
Corbett, C H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Cowan, W. H.
Craig, Herbert J. (Tynemouth)
Crooks, William
Crosfield, A. H.
Crossley, William J.
Davies, David (Montgomery Co)
Davies, Ellis William (Eifion)
Davies, M. Vaughan- (Cardigan)
Davies, Timothy (Fulham)
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras, N
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dobson, Thomas W.
Duncan, C. (Barrow-in-Furness
Dunne, Major E. Martin (Walsall
Edwards, Sir Francis (Radnor)
Erskine, David C.
Essex, R. W.
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferguson, R. C. Munro
Findlay, Alexander
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Gladstone, Rt. Hn Herbert John
Glen-Coats, Sir T. (Renfrew, W.)
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Gulland, John W.
Haldane, Rt. Hon. Richard B.
Harcourt, Rt. Hn. L. (Rossendale
Harcourt, Robert V. (Montrose)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r.)
Harmsworth, R L. (Caithn'ss-sh
Hart-Davies, T.
Harvey, W. E. (Derbyshire, N. E.
Harwood, George
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hazel, Dr. A. E.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.)
Henry, Charles S.
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Holland, Sir William Henry
Hooper, A. G.
Hope, W. Bateman (Somerset, N)
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Illingworth, Percy H.
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, Sir James Alfred
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Kearley, Sir Hudson E.
Kekewich, Sir George
Kelley, George D.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Layland-Barratt, Sir Francis
Leese, Sir Joseph F. (Accrington)
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich
Lever, W. H. (Cheshire, Wirral)
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Rt. Hon. Thomas
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. R. (Leicester)
Macdonald, J. M. (Falkirk B'ghs)
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah (Down, S.)
M'Callum, John M.
M'Crae, Sir George
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mansfield, H. Rendall (Lincoln)
Marks, G. Croydon (Launceston)
Marnham, F. J.
Mason, A. E. W. (Coventry)
Massie, J.
Masterman, C. F. G.
Menzies, Walter
Micklem, Nathaniel
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Montgomery, H. G.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morse, L. L.
Morton, Alpheus Cleophas
Murray, James (Aberdeen, E.)
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Newnes, Sir George (Swansea)
Nicholls, George
Nicholson, Charles N. (Doncast'r
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
O'Grady, J.
Partington, Oswald
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Pearson, W. H. M. (Suffolk, Eye)
Philipps, Owen C. (Pembroke)
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Price, Sir Robert J. (Norfolk, E.)
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rees, J. D.
Richards, Thomas (W. Monm'th
Richards, T. F. (Wolverh'mpt'n
Richardson, A.
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Roberts, Sir J. H. (Denbighs.)
Robertson, Sir G Scott (Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Roch, Walter F. (Pembroke)
Rose, Charles Day
Rowlands, J.
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann, Sir C. E. (Manchester)
Scott, A. H. (Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Colonel
Shackleton, David James
Shaw, Rt. Hn. T. (Hawick, B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie

Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanley, Hn.A.Lyulph (Chesh.)
Steadman, W. C.
Stewart-Smith, D. (Kendal)
Sutherland, J. E.
Tennant,Sir Edward (Salisbury
Thomas, Abel (Carmarthen, E.)
Thomas, Sir A. (Glamorgan,E.)
Thomasson, Franklin
Thorne, G.R. (Wolverhampt'n)
Thorne, William (West Ham)
Tomkinson, James
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Walsh, Stephen
Walton, Joseph
Ward, John (Stoke upon Trent)
Ward,W.Dudley(Southampt'n)
Warner, Thomas Courtenay T.
Wason,Rt.Hn.E (Clackmannan
Wason,John Cathcart (Orkney)
Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White,J.Dundas(Dumbart'nsh.
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker,Rt.Hn.SirThomasP.
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters
Wilson, Henry J. (York, W.R.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Acland-Hood,Rt.Hn Sir Alex.F
Arkwright, John Stanhope
Ashley, W. W.
Balcarres, Lord
Baldwin, Stanley
Banbury, Sir Frederick George
Banner, John S. Harmood-
Barrie, H. T. (Londonderry,N.)
Beach,Hn.Michael Hugh Hicks
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Cave, George
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Clive, Percy Archer
Cochrane, Hon. Thos. H. A. E.
Collings, Rt.Hn.J.(Birm'gham)
Craig,Charles Curtis (Antrim,S)
Craig,Captain James(Down,E.)
Craik, Sir Henry
Cross, Alexander
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Duncan,Robert (Lanark,Govan
Faber, Capt. W. V. (Hants, W.)
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Gooch,Henry Cubitt(Peckham)
Goulding, Edward Alfred
Gretton, John
Guinness, Hn. R. (Haggerston)
Guinness, W.E. (Bury S. Edm.)
Hamilton, Marquess of
Harrison-Broadley, H. B.
Heaton, John Henniker
Hill, Sir Clement
Hills, J. W.
Hope,James Fitzalan(Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Joynson-Hicks, William
Kerry, Earl of
Keswick, William
King, Sir Henry Seymour(Hull)
Lane-Fox, G. R.
Lee,Arthur H.(Hants,Fareham
Lockwood,Rt.Hn. Lt.-Col.A.R.
Long,Rt.Hn.Walter (Dublin,S)
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
M'Arthur, Charles
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
Neild, Herbert
Oddy, John James
Pease,Herbert Pike(Darlington
Percy, Earl
Powell, Sir Fanacis Sharp
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Ratcliff, Major, R. F.
Rawlinson,John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Renwick, George
Roberts, S. (Sheffield,Ecclesall)
Ronaldshay, Earl of
Ropner, Colonel Sir Robert
Rutherford, John (Lancashire)
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Smith,Abel H. (Hertford, East)
Smith,F.E. (Liverpool,Walton)
Starkey, John R.
Talbot, Lord E. (Chichester)
Talbot,Rt.Hn.J.G (Oxf'd Univ.
Thomson,W.Mitchell- (Lanark)
Thornton, Percy M.
Valentia, Viscount
Walrond, Hon. Lionel
White, Patrick (Meath, North)
Willoughby de Eresby, Lord
Wilson,A.Stanley (York,E.R.)
Wortley, Rt. Hon. C. B.Stuart-
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE NOES—Mr. George D. Faber and Earl Winterton.

Question put, "That this Schedule, as amended, be the seventh Schedule to the Bill."

The Committee divided:—Ayes, 270; Noes, 97. (Division List No. 362.)

AYES.

Abraham, William (Rhondda)
Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Ashton, Thomas Gair
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker,Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beck, A. Cecil
Bellairs, Carlyon
Benn,Sir J.Williams(Devonp'rt
Benn,W. (T'w'rHamlets,S.Geo.
Bennett, E. N.
Berridge, T. H. D.
Bethell,Sir J.H (Essex,Romf'rd
Black, Arthur W.
Boulton, A. C. F.
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Brigg, John
Bright, J. A.
Brodie, H. C.

Brooke, Stopford
Brunner, J. F. L.(Lancs.,Leigh)
Bryce, J. Annan
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cherry, Rt. Hon. R. R.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Compton-Rickett, Sir J.
Cooper, G. J.
Corbett,C.H.(Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cory, Sir Clifford John
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth)
Crooks, William
Crosfield, A. H.
Crossley, William J.
Davies,David(Montgomery Co.
Davies, Ellis William (Eifion)
Davies, M. Vaughan-(Cardigan)
Davies, Timothy (Fulham)
Dewar, Arthur (Edinburgh, S.)
Dickinson,W.H. (St.Pancras,N
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dobson, Thomas W.
Dunne,Major E.Martin(Walsall
Edwards, Sir Francis (Radnor)
Erskine, David C.
Essex, R. W.
Evans, Sir Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferguson, R. C. Munro
Findlay, Alexander
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Gladstone,Rt Hn.Herbert John
Glen-Coats,Sir T.(Renfrew,W.)
Glendinning, R. G.
Glover, Thomas
Goddard, Sir Daniel Ford
Gooch, George Peabody (Bath)
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Gulland, John W.
Haldane, Rt. Hon. Richard B.
Harcourt,Rt Hn.L.(Rossendale
Harcourt,Robert V. (Montrose)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Harmsworth,R.L.(Caithn'ss-sh
Hart-Davies, T.
Harvey,W.E. (Derbyshire,N.E.
Harwood, George
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hazel, Dr. A. E.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson,J.M. (Aberdeen,W.)
Henry, Charles S.
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Holland, Sir William Henry
Hooper, A. G.
Hope,W.Bateman(Somerset,N.
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Illingworth, Percy H.
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, Sir James Alfred
Jones, Leif (Appleby)
Jones,William (Carnarvonshire
Jowett, F. W.
Kekewich, Sir George
Kelley, George D.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Layland-Barratt, Sir Francis
Leese,Sir Joseph F.(Accrington
Lehmann, R. C.
Lever, A.Levy(Essex,Harwich)
Lever, W. H. (Cheshire,Wirral)
Levy, Sir Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Rt. Hon. Thomas
Luttrell, Hugh Fownes
Lyell, Charles Henry
Macdonald, J. R. (Leicester)
Macdonald,J.M. (Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacVeagh,Jeremiah (Down,S.)
M'Callum, John M.
M'Crae, Sir George
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mansfield, H. Rendall (Lincoln)
Marks,G.Croydon(Launceston)
Marnham, F. J.
Mason, A. E. W. (Coventry)
Massie, J.
Masterman, C. F. G.
Menzies, Walter
Middlebrook, William
Molteno, Percy Alport
Mond, A.
Montagu, Hon. E. S.
Montgomery, H. G.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morse, L. L.
Morton, Alpheus Cleophas
Murray, James (Aberdeen, E.)
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Newnes, Sir George (Swansea)
Nicholls, George
Nicholson,CharlesN.(Doncast'r
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Donnell, C. J. (Walworth)
O'Grady, J.
Partington, Oswald
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearson, W.H.M.(Suffolk, Eye)
Philipps, Owen C. (Pembroke)
Pollard, Dr.
Ponsonby, Arthur A. W. H.
Price,Sir RobertJ.(Norfolk,E.)
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester
Rees, J. D.
Richards,Thomas(W.Monm'th)
Rithards, T.F.(Wolverh'mpt'n)
Richardson, A.
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Roberts, Sir J. H. (Denbighs.)
Robertson,Sir G.Scott(Bradf'd)
Robertson, J. M. (Tyneside)
Robinson, S.
Roch, Walter F. (Pembroke)
Rose, Charles Day
Rowlands, J.
Runciman, Rt. Hon. Walter
Russell, Rt. Hon. T. W.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann,Sir C.E.(Manchester)
Scott,A.H.(Ashton-under-Lyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Colonel
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanley,Hn. A. Lyulph(Chesh.)
Steadman, W. C.
Stewart-Smith, D. (Kendal)
Sutherland, J. E.
Tennant,Sir Edward(Salisbury
Thomas, Abel (Carmarthen,E.)
Thomas,Sir A.(Glamorgan, E.)
Thomasson, Franklin
Thorne, G.R.(Wolverhampton)
Thorne, William (West Ham)
Tomkinson, James
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Walsh, Stephen
Walton, Joseph
Ward,John (Stoke-upon-Trent)
Ward,W.Dudley (Southampt'n
Warner, Thomas Courtenay T.
Wason,Rt Hn.E.(Clackmannan
Wason,John Cathcart (Orkney)

Waterlow, D. S.
Watt, Henry A.
Wedgwood, Josiah C.
White, Sir George (Norfolk)
White, J. Dundas (Dumbart'nsh
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, John Henry (Halifax)
Whittaker, Rt. Hn. Sir Thomas P.
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters
Wilson, Henry J. (York, W.R.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon

TELLERS FOR THE AYES—Mr. Joseph Pease and Master of Elibank.

NOES.

Arkwright, John Stanhope
Ashley, W. W.
Balcarres, Lord
Baldwin, Stanley
Banbury, Sir Frederick George
Banner, John S. Harmood-
Barrie, H. T. (Londonderry, N.)
Beach, Hn. Michael Hugh Hicks
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Cave, George
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Clive, Percy Archer
Cochrane, Hon. Thos. H. A. E.
Collings, Rt. Hn. J. (Birmingh'm
Craig, Charles Curtis (Antrim, S.
Craig, Captain James (Down, E)
Craik, Sir Henry
Cross, Alexander
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Du Cros, Arthur Philip
Duncan, Robert (Lanark, Govan
Faber, George Denison (York)
Faber, Capt. W. V. (Hants, W.)
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest
Gibbs, G. A. (Bristol, West)
Gooch, Henry Cubitt (Peckham)
Goulding, Edward Alfred
Gretton, John
Guinness, Hn. R. (Haggerston)
Guinness, W. E. (Bury S. Edm.)
Hamilton, Marquess of
Harrison-Broadley, H. B.
Heaton, John Henniker
Hill, Sir Clement
Hills, J. W.
Hope, James Fitzalan (Sheffield)
Houston, Robert Paterson
Hunt, Rowland
Joynson-Hicks, William
Kerry, Earl of
Keswick, William
King, Sir Henry Seymour (Hull)
Lane-Fox, G. R
Lee, Arthur H. (Hants. Fareham
Lockwood, Rt. Hn. Lt.-Col. A. R.
Long, Rt. Hn. Walter (Dublin, S)
Lowe, Sir Francis Wiliam
Lyttelton, Rt. Hon. Alfred
M'Arthur, Charles
Morpeth, Viscount
Morrison-Bell, Captain
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
Oddy, John James
Pease, Herbert Pike (Darlington)
Percy, Earl
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Ratcliff, Major R. F.
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Renton, Leslie
Renwick, George
Roberts, S. (Sheffield, Ecclesall)
Ronaldshay, Earl of
Ropner, Colonel Sir Robert
Rutherford, John (Lancashire)
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Smith, Abel H. (Hertford, East)
Smith, F. E. (Liverpool, Walton)
Starkey, John R.
Talbot, Lord E. (Chichester)
Talbot, Rt Hn. J. G. (Oxf'd Univ.
Thomson, W. Mitchell- (Lanark)
Thornton, Percy M.
Walrond, Hon. Lionel
White, Patrick (Meath, North)
Willoughby de Eresby, Lord
Wilson, A. Stanley (York, E.R.)
Winterton, Earl
Wortley, Rt. Hn. C. B. Stuart-
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George

TELLERS FOR THE NOES—Sir Alexander Acland-Hood and Viscount Valentia.

Whereupon the CHAIRMAN left the Chair to report the Bill to the House.

Bill reported; as amended, to be considered To-morrow, and to be printed. [Bill 368.]

Whereupon Mr. SPEAKER, pursuant to the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at twenty-four minutes before Twelve o'clock.

[APPENDICES.

APPENDIX.

PUBLIC BILLS

DEALT WITH IN VOLUME CXCV.

Those marked thus * are Government Bills. The figures in parentheses in the last column refer to the page in this volume. "[H.L.]" following title indicates that the Bill originated in the House of Lords.

(A.) House of Lords.

Title of Bill.	Brought in by	Progress.
*Agricultural Holdings (Scotland) [H.L.]	*Earl Carrington*	Read 1^a 29th October (405)
*Children	*Earl Beauchamp*	Read 2^a 28th October (209) Committee 4th Nov. (1130)
*Housing of the Working Classes (Ireland)	*Lord Denman*	Report 27th October (26)
Law of Distress Amendment	*Lord Courtney of Penwith*	Committee 28th October (239) Committee 5th Nov. (1349)
Local Authorities (Admission of the Press)	*Earl of Donoughmore*	Committee 29th October (405)
Nurses Registration	*Lord Ampthill*	Report 2nd Nov. (722)
Public-houses (Extension of Facilities)	*Lord Lamington*	Bill withdrawn 27th Oct. (2)

(B) HOUSE OF COMMONS.

Title of Bill.	Brought in by	Progress.
*Licensing	*Mr. Asquith*	Committee 27th October (95) Committee 28th October (296) Committee 29th October (514) Committee 30th October (638) Committee 2nd Nov. (796) Committee 3rd Nov. (1001) Committee 4th Nov. (1245) Committee 5th Nov. (1425) Committee 6th Nov. (1557) Committee 9th Nov. (1721)
Unemployed Workmen Act (1905) Amendment	*Sir G. McCrae*	Read 1° 29th October (513)

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TO THE

PARLIAMENTARY DEBATES

[AUTHORISED EDITION].

THIRTEENTH VOLUME OF SESSION 1908.

OCTOBER 27—NOVEMBER 9.

EXPLANATION OF ARRANGEMENT AND ABBREVIATIONS.

Bills: Read First, Second, or Third Time = 1R., 2R., 3R. [*c.*] = Commons. [*l.*] = Lords. *Amendt.* = Amendment. *Os.* = Observations. *Qs.* = Questions. *As.* = Answers. *Com.* = Committee. *Con.* = Consideration. *Rep.* = Report.

Where in the Index * is added with Reading of a Bill, or a Vote in Committee of Supply, it indicates that no Debate took place on that stage of the Bill, or on that Vote.

Subjects discussed in Committee of Supply are entered under their headings, and also under Members' Names, without reference to the actual Vote before the Committee.

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Q. Mr. Thornton; *A.* Mr. Buxton, *Oct. 27*, 79.

Aberdare
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Abraham, Mr. W. [Cork County, N.E.]
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Lunatic Pensioners in Irish Asylums, Maintenance of, *Nov. 4*, 1237.

Abraham, Mr. W. [Glamorganshire, Rhondda]
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Adkins, Mr. W. R. [Lancashire, Middleton]
Licensing Bill, *Com., Nov. 2*, 828.

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Financial Secretary—Dr. T. J. Macnamara.
Contractors—Wages paid by Morrison & Mason.
Q. Mr. T. F. Richards; *A.* Mr. McKenna, *Nov. 9*, 1680.
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Q. Mr. Staveley-Hill; *A.* Mr. McKenna, *Oct. 28*, 259.
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Q. Mr. Lee; *A.* Mr. McKenna, *Nov. 9*, 1671.

Africa, East
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Lorenço Marques British Consulate—Treatment of British Indians.
Q. Sir W. Bull; *A.* Mr. McKinnon Wood, *Nov. 9*, 1691.
Portuguese Native Labour Recruitment Regulations.
Q. Mr. Staveley-Hill; *A.* Colonel Seely, *Oct. 29*, 480.

Africa, South
[*For Particular Colonies, etc., see their Names, as* Transvaal.]
Garrison—Concentration Proposals.
Q. Sir G. Parker; *A.* Mr. Haldane, *Nov. 4*, 1191.
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Q. Sir G. Parker; *A.* Colonel Seely, *Nov. 5*, 1396.
Sekgoma, Case of.
Q. Sir H. Cotton; *A.* Colonel Seely, *Oct. 27*, 65.

Agar-Robartes, Mr. [Cornwall, St. Austell]
Licensing Bill, *Com., Nov. 9*, 1802–1804.

Agricultural Holdings Act, 1907
Expenditure under.
Qs. Mr. Bridgeman; *As.* Sir E. Strachey, *Nov. 3*, 991.

Agricultural Holdings (Scotland) Bill
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Agricultural Rating Act
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Qs. Mr. Summerbell, Captain Morrison-Bell; *As.* Mr. Asquith, *Nov. 5*, 1421.

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Alden, Mr. P. [Middlesex, Tottenham]
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Montserrat, Island of—Taxation System and Revenue, *Nov. 2*, 774.
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Anketel Grove Estate
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Financial Secretary—Mr. F. D. Acland.
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    - *Qs.* Mr. Guy Wilson; *As.* Mr. Haldane, *Nov. 5*, 1371, 1372.
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